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THE NEW REPUBLIC

A Journal of Politics and the Arts

VOLUME 236 WASHINGTON, APRIL 23, 2007 NUMBER 4,811

The Waxman Cometh

Save, perhaps, for his mustache, there's nothing about Henry Waxman that would lead anyone to mistake him for Joseph Stalin. Stalin's rise to general secretary of the Soviet Communist Party included stints as a Bolshevik bank robber and a commissar in the Red Army; Waxman was elected to Congress after representing an affluent West Los Angeles district in the California State Assembly. Stalin's policy of forced collectivization resulted in a famine that killed six million Ukrainians; the only person Waxman has ever starved is himself—and then only on Yom Kippur. And, while Stalin subjected his opponents to hard labor, torture, and frequently death in the gulag, the worst thing Waxman has ever inflicted on his foes is a few hours of questioning in front of the House Oversight and Government Reform Committee, which he chairs.

And yet, to hear Republicans tell it, Waxman might as well be nicknamed Henry the Dread. The reason for the Stalin analogies is that Democratic committee chairs have authorized subpoenas for top White House and Justice Department officials to testify at hearings about the U.S. attorney purge and other myriad Bush administration scandals—hearings that President Bush himself has disparaged as "show trials."

Now, it's possible that Bush slept through his Soviet history lessons, but show trials, of course, are not really trials at all—their verdicts having been predetermined with the defendants' "confessions" extracted through torture. Contrast that with what Democrats hope to achieve by subpoenaing administration officials. Democrats don't know whether Karl Rove had a hand in the firings of U.S. attorneys, although there's enough circumstantial evidence to suspect that he did. The fact that Democrats want him to testify about the matter in public—as opposed to being "interviewed" behind closed doors, not under oath, and with no transcript, as the Bush administration has offered—does not mean that Democrats want to conduct a show trial. Far from it. They simply want to know what Rove did or did not do—and they are more likely to get the straight story if Rove is under oath and there's an actual written record of his answers. Whatever Rove says, his answers will not have been coerced through torture. And, even if it turns out that Rove did have a hand in the U.S. attorney firings, the worst possible outcome for him won't include exile in Mexico and assassination with an ice pick. It's doubtful he'd even be frogmarched out of the White House.

Of course, it's hardly a surprise that Bush would consider the prospect of oversight akin to Stalinism. (If only the Supreme Soviet had tried to hold Stalin accountable for his abuses of power!) But Bush is not alone in looking askance at Democrats' willingness to exercise oversight authority. Much of the pundit class thinks it's a bad idea, too. As *Time* editor Richard Stengel recently remarked: "I am so uninterested in the Democrats wanting Karl Rove, because it is so bad for them. Because it shows business as usual, tit for tat, vengeance."

But Congress exercising its oversight authority is anything but business as usual. For most of his six-plus years in the White House, President Bush has enjoyed Republican majorities that have conducted virtually no oversight of his administration. The fallout from this lack of oversight can be seen in nearly every Bush administration failure and scandal—from the Iraq war to warrantless wiretapping to the various entanglements between administration officials and Jack Abramoff. Now, with Democrats controlling both houses of Congress, those days are coming to an end. That doesn't mean that congressional Democrats are engaging in the same excesses that Republicans were guilty of during the Clinton administration. For instance, Waxman—who occupies the same chair that Indiana Republican Dan Burton used in the 1990s to investigate his wild conspiracy theories about Vince Foster's death—has demonstrated admirable restraint. His investigations of the war in Iraq have been limited to narrow—and important—topics like President Bush's incorrect prewar claim that Iraq tried to purchase uranium from Niger and ongoing corruption in the Iraqi oil ministry. His domestic investigations have focused on matters like political abuses at the General Services Administration. He has yet to shoot a pumpkin in his backyard.

Nobody expects the Spanish Inquisition, to borrow a phrase, but congressional Democrats would be derelict if they did not vigorously pursue apparent abuses of power by the Bush administration. The U.S. attorney scandal is a good place to start. As we have previously noted, it's likely that the administra-

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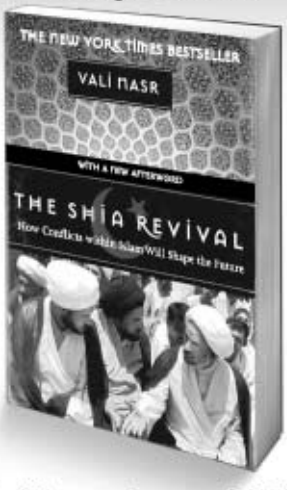

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tion violated no laws when it fired the eight U.S. attorneys. But it did violate the important norm of presidents not firing prosecutors they appointed in the middle of their terms—which ensured that prosecutors would deploy the law free of partisan considerations. The administration should be held accountable for violating this norm. And Congress, by shining light on this violation, would be doing just that. In the process, it would be standing for an important norm in its own right: the norm of oversight. There's nothing showy about that.

The Sino-Indian Fallacy

HANG AROUND Republicans long enough, and you're bound to hear bogus arguments about why the United States shouldn't bother reducing its carbon emissions in order to avert catastrophic global warming. Greenhouse gases aren't even causing climate change, they'll say, and, anyway, a warmer planet won't be that bad. Those claims are false, as recent assessments from the Intergovernmental Panel on Climate Change make clear. A more valid objection is that, even if the United States does take action, so long as China and India refuse to cut their own emissions, the planet will continue heating up regardless. By 2008, China will overtake the United States as the world's largest emitter of carbon dioxide, and India is rapidly catching up.

But this is no excuse for sitting on our hands. The United States and Europe have traditionally been the largest emitters of greenhouse gases—and they are responsible for the vast bulk of the carbon sitting in the atmosphere. (In 2025, the United States will still have been responsible for roughly twice as much cumulative global warming pollution since 1980 as China and India *combined*.) As such, we have an obligation to lead the way in mitigating the effects of our own emissions. While it's true that China and India will need to take part in any effort to forestall drastic change, it's unreasonable to expect them to act before the developed world does.

Contrary to popular belief, there are signs that both China and India do take global warming seriously. Sir Nicholas Stern, a former World Bank chief economist, has said that "a real change in discussion" has begun, privately, in both countries. Although China did not sign onto the Kyoto Protocol, it has recently announced that it will enter talks for a post-Kyoto framework and will unveil its own plan to tackle climate change this month. The Chinese have already announced a goal of improving energy efficiency 20 percent over the next five years, and they currently have fuel-economy standards stricter than those in the United States.

TOMASZ WALENTA (TOP)

So how can we encourage China and India to continue reducing emissions? We could start by capping our own and fostering a domestic market for alternative energy and new technologies, which could then be shared with the developing world. If, for instance, carbon sequestration was perfected here, it could be sold to China, which would improve the environmental outlook for a country that builds a new coal plant every week. Likewise, solar-panel installation, which is growing rapidly in India, could grow much more quickly if an advanced solar market existed in the United States.

If, in the end, China and India can't or won't reduce their emissions enough to prevent the world from warming, bad things will happen. But even that dire possibility is no reason for inaction. After all, not every grim scenario is equal. A world that warms only 3 degrees will still be less catastrophic than a world that warms 4 degrees. The United States must do what it can to limit the damage.

Heal Thyself

OVER THE LAST several years, health care—and the lack thereof—has become a signature issue of this magazine. And no writer has done more to elucidate the health care crisis in these pages than TNR Senior Editor Jonathan Cohn. This week marks the publication of *Sick*, Jon's gripping account of our broken system. With his characteristic humanity, Jon explores the struggles of everyday Americans to secure affordable health care and trumpets the call for reform. There's a rising movement for change, and *Sick* will be its bible. ◆

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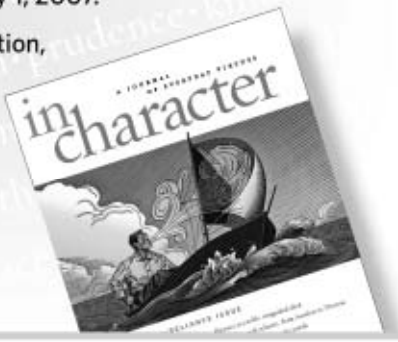

THE FOUNDING FATHERS BETRAYED

"Without national morality, a republican government cannot be maintained."
-John Adams, 1807

"[O]nly a virtuous people are capable of freedom."
-Benjamin Franklin, 1787

"We may look to Armies for our Defense, but Virtue is our best Security."
-Samuel Adams, 1775

"Can it be, that Providence has not connected the permanent felicity of a nation with its virtue?"
-George Washington, 1796

"[Selfishness] is the sole antagonist of virtue, leading us constantly by our propensities to self-gratification in violation of our moral duties to others."
-Thomas Jefferson, 1814

"People pay more money for pornography in America than they do on all the performing arts combined . . . [T]here is no other product in the entire cultural marketplace that is more explicitly American."
-The New York Times, 2001

UNHAPPY ANNIVERSARY

Fifty Years Since Roth v. United States

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by Daniel Mark Cohen

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The Flack Gap

Bush's flailing apologists.

JONATHAN CHAIT

In the wake of the fired-prosecutor scandal, I have become rather alarmed at the low quality of the pro-administration spin. I may not be a supporter of this administration, but I am an American who wants his government to function well in all areas—including flacking, obfuscating, and misleading the public. There was a time when this administration's apologists were the envy of the world. We Americans could take pride in skilled manipulators of illogic like Ari Fleischer, who spun circles around the press, while our enemies had to make do with the clumsy, transparent lies of hacks like Baghdad Bob.

Today, however, the administration's spin is of the shoddiest quality, no better than that found in a Third World kleptocracy. Alberto Gonzales, who appears congenitally incapable of going five minutes without contradicting himself, has been such a disaster that even the full-time war room devoted to straightening out his story can't adequately prepare him. "At a recent 'prep' for a prospective Sunday talk-show interview, Gonzales's performance was so poor that top aides scrapped any live appearances," reported *Newsweek*'s Michael Isikoff. Apparently, Gonzales "kept contradicting himself and 'getting his timeline confused,' said one participant."

And it's not just bureaucrats who have bungled the job. Like all good Republicans, the Bush administration has left much of the job of defending it to the free market. But the private sector apologists have been, if anything, even *less* convincing than their government counterparts.

The primary defense, unsurprisingly, has been mounted by *The Wall Street Journal* editorial page. Fired prosecutors are a slightly awkward subject for the *Journal*, whose editor waxed indignant over Bill Clinton's 1993 replacement of the U.S. attorneys. Perhaps hemmed in by this earlier stance, the *Journal* conceded that, in theory, it "would be genuine grounds for outrage … if a U.S. attorney were dismissed to interfere with a specific prosecution, or to protect some crony." However, the editorial continued, while Clinton had done this, "there is no such evidence involving any of the eight Bush attorneys."

TOMASZ WALENTA

TRB
From Washington

No such evidence? How bizarre. There was no evidence that *Clinton* had done anything like this, unless you consider the *Journal*'s preternatural suspicion of everything Clinton did to be "evidence." With Bush, on the other hand, there's an enormous amount of evidence. So far, we know that New Mexico Republicans called prosecutor David Iglesias before last November's elections to urge him to indict Democrats on charges of voter fraud. When he refused, the chairman of the New Mexico GOP complained to Karl Rove. Rove, in turn, complained to the Justice Department about Iglesias. And, shortly after that, Iglesias was added to the list of prosecutors to be fired.

On top of that, you have lots of suspicious behavior lurking in the background. There is an e-mail from Gonzales's chief of staff explicitly judging prosecutors on the basis of whether they are "loyal Bushies." You have the Justice Department's shifting stories as to exactly why it had fired the prosecutors. And Rove's and Harriet Miers's insistence that their testimony on the matter be given in private—without taking an oath or a transcript, and with a promise of no further follow-up testimony if contradictions arise—is not the sort of behavior you'd expect from people who have nothing to hide.

And, on top of *that*, you have a lot of pretty suggestive facts. You have the fact that, since the Bush administration came to power, U.S. attorneys have investigated or indicted just 67 Republicans, compared with 298 Democrats. You have a spurious preelection conviction of a Democratic governor's appointee in Wisconsin that, after the election, was quickly and unanimously overturned by a three-judge panel featuring two Republican appointees. (The "evidence is beyond thin," declared one judge.) Then there was the fact that the U.S. attorney investigating Jack Abramoff's shady dealings with Guam was demoted the day after issuing his subpoena, thus halting the investigation. None of this is proof, but surely it's evidence.

The Weekly Standard, meanwhile, has not even bothered to deny that there's any evidence of scandal. Instead, it proceeded straight to the attack on motivation, asserting that Democrats in Congress are merely "trying to cripple [Bush's] ability to govern for the rest of his term." (The *Journal* concurred: Democrats just want to "roll up his Presidency two years early.") With any given scandal, it's always possible to claim that the opposition is ginning up controversy to dent the president's popularity and stop his agenda. But it's best to save this argument for instances where the president's popularity is above, say, 35 percent and he has at least the pretense of a domestic agenda.

On the side of sweet naïveté comes *The Washington Post* editorial page, which, like a kind-hearted relative, keeps seeing the good side in that Bush kid no matter what trouble he gets himself into. "Mr. Gonzales finds himself in this mess," the *Post* recently mused, "because he and others in his shop appear to have tried to cover up something that, as far as we yet know, didn't need covering." So, the administration has told lie after lie for no real reason at all. I suppose it could be true. There may, however, be another explanation. Perhaps William of Occam would have something to say about this.

Are such prevarications the best a proud nation can do on behalf of its commander-in-chief? I say no. And, so, I have appointed myself to formulate a better defense of the administration's innocence. Ready? Here it is:

Most of this so-called "evidence" of the administration's guilt comes from the administration itself—specifically, e-mails released by the Justice Department. But the Bush administration is a completely untrustworthy source. Remember the last time it released information that seemed to show a nefarious government conspiracy? That's right: the Iraq WMD debacle. Why should we trust them now, when they steered us so wrong before? Liberals always *say* we shouldn't take information from the Bush administration at face value, but now they want to do just that. Hypocrites! ◆

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White Man for the Job

Bush's imperial historian.

Last month, a little-known British historian named Andrew Roberts was swept into the White House for a three-hour-long hug. He lunched with George W. Bush and Dick Cheney, huddled alone with the president in the Oval Office, and was rapturously lauded by him as "great." Roberts was so fawned over that his wife, Susan Gilchrist, told the London *Observer*, "I thought I had a crush on him, but it's nothing like the crush President Bush has on him."

At first glance, this isn't surprising. Roberts's latest work—*A History of the English-Speaking Peoples Since 1900*—sounds like a standard-issue neocon narrative. As a sequel to Winston Churchill's famous series, it purports to tell the story of how the "Anglosphere" (Great Britain, the United States, Australia, and friends) saved the world from a slew of totalitarian menaces, from the kaiser to the caliphate. It presents Bush as the logical successor to Churchill—only Bush is, of course, even better.

Yet, beyond this surface sycophancy, there is something darker and more fetid. Bush, Cheney, and—in a recent, glowing cover story—*National Review*, have, in fact, embraced a man with links to white supremacism, whose book is not a history but an ahistorical catalogue of apologies and justifications for mass murder that even blames the victims of concentration camps for their own deaths. The decision to laud Roberts provides a bleak insight into the thinking of the Bush White House as his presidential clock nears midnight.

Andrew Roberts describes himself as "extremely right wing" and "a reactionary," and, in Great Britain, the 44-year-old has long been regarded as a caricature of a caricature of the old imperial historians. He famously lauds the British Empire—and its massacres and suppressions—as "glorious" on every occasion. He sucks up to the English aristocracy to the point that *Tatler*, the society journal, says, "[H]is adolescent crush on the upper classes is matched by virtually no one else in this country." One of the few things that can silence Roberts is a mention of his origins in the distinctly nonaristocratic merchant classes, with a father who owned a string of Kentucky Fried Chicken franchises. Much as he longs to be K&C (Kensington and Chelsea), to those he adores, he will always have the whiff of KFC.

Yet this Evelyn Waugh tomfoolery masks an agenda that the distinguished Harvard historian Caroline Elkins describes as "incredibly dangerous and frightening." To understand the core of Roberts's philosophy—from Waugh to war—it's necessary to look at a small, sinister group of British-based South African and Zimbabwean exiles he has embraced.

In 2001, Roberts spoke to a dinner of the Springbok Club, a group that regards itself as a shadow white government of South Africa and calls for "the re-establishment of civilized European rule throughout the African continent." Founded by a former member of the neo-fascist National Front, the club flies the flag of apartheid South Africa at every meeting. The dinner was a celebration of the thirty-sixth anniversary of the day the white supremacist government of Rhodesia announced a Unilateral Declaration of Independence from Great Britain, which was pressing it to enfranchise black people. Surrounded by nostalgists for this racist rule, Roberts, according to the club's website, "finished his speech by proposing a toast to the Springbok Club, which he said he considered the heir to previous imperial achievements."

WHITE HOUSE WATCH *With* **DREW FRIEDMAN**

To redeem his reputation, Dick Cheney takes to "Dancing With the Stars"

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The British High Commission in South Africa has accused the club of spreading "hate literature." Yet Roberts's fondness for the Springbok Club is not an anomaly; it is perfectly logical to anybody who has read his writing, which consists of elaborate and historically discredited defenses for the actions of a white supremacist empire—the British—and a plea to the United States to continue its work.

Roberts advises Bush to embrace the idea of the United States as a civilizing empire ruling the world: the white man's burden in the White House. Pigmentation—the old basis for dominance—is now discredited, so he has politely switched to linguistics. The Americans must pick up where the British left off: "Just as we do not today differentiate between the Roman Republic and the imperial period of the Julio-Claudians when we think of the Roman Empire, so in the future no one will bother to make a distinction between the British Empire–led and the American Republic–led periods of English-speaking dominance."

How should this American Empire exercise its power? One useful tactic, Roberts believes, is massacring civilians. The Amritsar massacre is one of the ugliest episodes in the history of the British Raj. In 1919, British Brigadier General Reginald Dyer opened fire on 10,000 unarmed men, women, and children who were peacefully protesting, and around 400 died. Dyer was even repudiated by the British government. As Patrick French, an award-winning historian of the period, explains: "The biographies of Dyer show that he was clearly mentally abnormal, and there was no way he should have been in charge of troops."

Yet Dyer has, at last, found a defender—Andrew Roberts. After the massacre, Roberts notes, "[I]t was not necessary for another shot to be fired throughout the entire region". He later comments: "Today's reactions to Dyer's deed are of course uniformly damning … but if the Amritsar district, Punjab region or southern India generally had carried on in revolt, many more than 379 people would have lost their lives."

This is a recurring theme in Roberts's work, with obvious appeal to Bush: that nationalist sentiments can be successfully crushed with massive violence. He claimed, in a speech to the Heritage Foundation in February, that "when you see Arab nationalism today, … that simply would not have happened had there been British troops [remaining] in the [Suez] canal zone." He even argues that German nationalism would not have reemerged following World War I if only Germany had been more humiliated.

But French and dozens of other historians have shown that, far from successfully suppressing nationalist sentiments, the Amritsar massacre inflamed them. Figures in the Indian National Congress like Mahatma Gandhi and Jawaharlal Nehru—men who had been constitutionalists with some residual loyalty to the Empire—abandoned their position following Amritsar, reasoning that, if the British were going to gun down women and children, there was no point in taking the reformist route.

Much of Roberts's advice to Bush is based on similarly skewed and surreal misreadings of history. For example, he has advised Bush to adopt "the whole idea of mass internment," saying: "I think it is the way the administration of Iraq should go." At his lunch with Bush, according to economist Irwin Stelzer, who was present, Roberts cited Ireland as a place where internment worked.

Every major historian of Ireland—across the political spectrum—says the opposite is the case. When internment was introduced in Northern Ireland in 1971, violence vastly increased—and it only fell when it was abolished. The decision by the British to grab Catholics on the flimsiest evidence and hold them without trial is universally regarded as the greatest recruiting gift the Irish Republican Army was ever handed. "Roberts has no track record as a historian of Ireland," says Brendan O'Leary of the University of Pennsylvania, an expert on both Ireland and counterinsurgency techniques. "If he did, he would know that there is a total historical consensus that internment was a catastrophe."

Roberts is even supportive of politicians who take mass internment to its most extreme conclusion—concentration camps. His political hero is Lord Salisbury, the British prime minister who, during the Boer War, constructed concentration camps in South Africa that, a generation later, inspired Hermann Goering. Under Salisbury, the British burned Boer civilians out of their homes and farms and drove them into concentration camps. The result was that about 34,000 people—some 15 percent of the entire Boer population—died in the camps, mainly of disease and starvation.

Roberts presents a very different picture for Bush. Drawing obvious parallels with Iraq, he says the British introduced "regime change" in Pretoria out of a concern "for human rights." They bravely fought on against an insurgency campaign that led many weak-willed liberals back home to believe the war was lost, until victory was finally achieved. (It wouldn't be surprising to see him claim the Boers had a stash of WMD.)

In his most radical piece of revisionism, Roberts argues that, far from being a "war crime," the concentration camps "were set up for the Boers' protection." Mike Davis of the University of California, Irvine, author of *Late Victorian Holocausts*,

DEPARTMENT OF CORRECTIONS

"Hillary's War" (April 2) reported that Hillary Clinton "needled" Kenneth Pollack about the absence of WMD in Iraq at a birthday party for Sandy Berger at the French ambassador's residence. However, a Clinton spokesman says she did not attend such a party. The spokesman said he would not discuss Clinton's private conversations, though he did not specifically dispute that such an encounter occurred, as multiple sources say it did. Pollack had declined to comment on this account before publication. We regret the error.

David Cowles

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IS THIS WHERE YOUR TEEN GOES TO GET HIGH?

A growing danger among teens today is the intentional abuse of prescription drugs and over-the-counter cough and cold medicines to get high.

One cause of the problem is how easily teens can find them. These drugs are most likely already in your own home. Over half of teens who abuse prescription painkillers report they get them for free from the homes of family or friends, or they take them from family or friends without asking.[1]

Most frightening, however, is that teens often don't recognize the dangers of prescription and over-the-counter drug abuse; they don't see it to be as harmful as illicit drug use. After all, these drugs are approved for medical use. But when taken without medical supervision, intentionally abused, or mixed with other drugs or alcohol, prescription medicines can be dangerous. Teens who decide to abuse prescription drugs run the risk of addiction, strokes, seizures, comas, and even death.

Unfortunately, it's a growing trend. Teens are turning away from using street drugs to prescription medications to get high. New users of prescription drugs are actually catching up with new users of marijuana.[2]

The first step for parents is to recognize the potential risks and consequences of prescription drug abuse, and to help teens understand them as well. Learn the signs, symptoms, and tips on how to talk to your teens about prescription drug abuse. **Educate yourself to protect your teens; visit www.TheAntiDrug.com or call 1-800-788-2800.**

Overall, teen use of street drugs is down. That's great; that means you've been doing your job. Now it's time to make sure that you stay updated on this latest threat to your teens' health and safety.

Signed,

American Academy of Pediatrics
American College of Emergency Physicians
American Medical Association
American Pharmacists Association
American Society of Addiction Medicine
Association for Medical Education
and Research in Substance Abuse (AMERSA)
National Association of Chain Drug Stores
National Association of School Nurses
National Council on Patient Information and Education
Partnership for a Drug-Free America
U.S. Department of Health and Human Services
National Institute on Drug Abuse
Substance Abuse and Mental Health Services Administration
U.S. Food and Drug Administration

PARENTS.
THE ANTI-DRUG.

www.TheAntiDrug.com

1 SAMHSA, Office of Applied Studies, National Survey on Drug Use and Health, 2005
2 Ibid

Office of National Drug Control Policy

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says bluntly: "This is tantamount to Holocaust-denial. His arguments about the Boer concentration camps are similar to the arguments of the Nazi apologists about those camps."

Yet Roberts's denialism extends to an even greater crime by the British Empire: the creation and perpetuation of famines that killed millions. In the 1870s, under British rule, India was reduced to a state of extreme famine. One dissident British civil servant, Lieutenant-Colonel Ronald Osborne, described staggering through the horror: "Mothers sold their children for a single scanty meal. Husbands flung their wives into ponds, to escape the torment of seeing them perish by the lingering agonies of hunger."

Roberts presents this string of famines as a natural disaster, which the British dealt with through "fairness and decency and astonishingly little interest in personal gain." He also explicitly praises the British viceroys who adopted the policies that worsened the starvation. In his biography of Lord Salisbury, he praises Viceroy Lord Lytton for "his excellent management of the famine"—think of it as "Heckuva job, Brownie," a hundred years too soon.

Yet the research of Nobel Prize–winning economist Amartya Sen shows that the famines in the Raj were a direct—if unintended—result of British rule: "The best response to people like Roberts is to show that India continued to have famines right up to the time of independence in 1947," Sen explained to me. "But, since the British left, there … has been no substantial famine."

Roberts's raw imperialism informs the advice he offers Bush today. For one, he urges Bush to adopt a supreme imperial indifference to public opinion. He counsels that "there can be no greater test of statesmanship than sticking to unpopular but correct policies." The real threat isn't abroad, but at home, among domestic critics. Roberts writes, "The greatest danger to [the British and, by extension, the American] continued imperium came not from declared enemies without, but rather from vociferous enemies within their own society."

In this Bushian history, democratic debate—especially in wartime—is a sign of weakness to be suppressed. "Contrary to the received view of the Vietnam War, the United States was never defeated in the field of battle," he writes. It was Walter Cronkite, not Ho Chi Minh, who was the true menace: "Some of the media was indeed a prime enemy of the conflict." Self-criticism is only ever interpreted in these histories as "self-hatred," which he says is "an abiding defect in the English-speaking peoples, and for some reason especially strong in Americans." It can only sap the "willpower" of any empire.

It doesn't appear to occur to Roberts that the British or U.S. empires could simply hit up against a limit to their power. Could there be a worse adviser for George W. Bush right now? Roberts's advice is a vicious imperial anachronism: Target civilians, introduce mass internment, don't worry about whether people hate you, bear down on dissent because it will sap the empire's willpower, ignore your critics because they're just jealous, and—above all—keep on fighting and you'll prevail.

It seems that Bush looks to historians as he looks to his advisers: to be told he's doing just fine. But to hear that message, he's had to scrape around for a fifth-rate Rudyard Kipling mocked by almost all serious historians and soaked in slaughter.

Johann Hari

Johann Hari is a columnist for The Independent newspaper in London.

BETTMANN/CORBIS

Bada Bing Club

How Democratic machines keep women out.

Oftentimes, the women who gain access to New Jersey's behind-the-scenes political gatherings aren't wearing much in the way of clothes. That, at least, is the impression James McGreevey imparts in his memoir, *The Confession*. Strip clubs, he explains, play an integral part in the Garden State's power culture. "We used to order beer after beer at Cheeques," McGreevey writes, "watching the dancers twirl on their poles while debating everything from local policy initiatives and tax ratables to the merits of silicone breast enhancement." Presumably this ritual didn't hold much appeal for the gay future governor. Still, for the sake of political ambition, McGreevey didn't dare forgo it. Strip clubs, he writes, are the "fraternal lodges" of New Jersey politicians, places where "lasting and productive connections" are forged.

New Jersey is one of the country's most reliably liberal states. It has favored the Democratic candidate in the last four presidential elections and hasn't elected a Republican senator since 1972. Yet its political culture is also among the country's most sexist. It ranks in the bottom third of states in proportion of legislators who are women, while its congressional delegation contains no females. And New Jersey isn't the only state with deep-blue political tendencies and a virtually all-male power structure. Massachusetts and Rhode Island don't have any women in their congressional delegations, either, and Pennsylvania has one of the lowest percentages of female state legislators outside the South. In Rhode Island, female delegates make up a paltry 19.5 percent of the legislature—placing the state behind such liberal bastions as Kansas, Nebraska, and Idaho.

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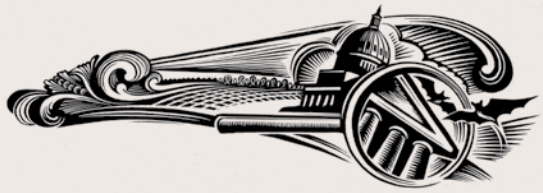
Indeed, if many left-leaning Northeastern states have proved surprisingly inhospitable to female politicians, the reverse is true of many conservative Western states. In 1999, women held the top five statewide offi ces in Arizona, which is also the only state where female governors have served back-to-back. Meanwhile, Colorado has the fifth-highest percentage of female legislators in the country and is one of only six states where a woman serves as speaker of the state Senate.

Why do so many liberal states lag behind conservative states in female representation? It's a puzzling question with a simple answer: machines. Northeastern states may be some of the most liberal in the country, but they are also the most likely to have political cultures shaped by bosses. In New Jersey, county chairmen (and they are pretty much all men) still decide who will receive official party support in primaries and reap financial backing. "Th ose decisions are generally made be hind closed doors," says Debbie Walsh, director of the Center for American Women and Politics at Rutgers University. "It makes it harder for women, and outsiders in general, to get involved."

McGreevey's methodical rise through the state's political ranks sheds light on the phenomenon. As he writes in *The Confession*, he paid numerous visits to the powerful county bosses to beg for their support and unleashed charm offensives on their closest allies. He patiently listened to a political operative's description of his fiftieth birthday party, which had taken place in a whorehouse in the Dominican Republic, and, on another occasion, enlisted the owner of an Irish bar he patronized to plead his case to a powerful boss. Other glimpses of the Northeast's frat-like political culture have occasionally spilled into public view: In 2000, during an all-night budget session in Massachusetts, legislators chanted "Toga! Toga!" and rumors circulated that a freshman member who had fallen asleep woke up to find his leg shaved. The House speaker later compared the evening to a "keg party."

In the West, political conventions are very different. Claudine Schneider, who represented Rhode Island in Congress for ten years before relocating to Colorado, offers this comparison: "You don't have the old boys' club inner circle here, which is almost institutionalized on the East Coast. Here, it is wide open spaces. If you can build a constituency, you can run." And women have: Not only were Western states the first to grant women



On the Hill

PURE BRED

Washington gets purge fever.

Is there anything sorrier than the modern party boss? Once, bosses presided over Congress like emperors. Th ey sealed who would live and who would die, picking the incumbents who could face reelection and instructing a few doomed souls to spend more time with their families. But that era is gone. Gunning to take the bosses' place are blogger NZ Bear, talk-radio host Hugh Hewitt, and *Washington Times* columnist Frank Gaffney. Th is trio helped start the newly minted Victory Caucus—dedicated, in part, to defeating Republican incumbents

who have criticized George W. Bush's Baghdad surge. In that capacity, the group has not only angled to usurp the bosses' old job of forcibly retiring pesky congressmen; it has invited the masses to help wield the hatchet, encouraging its website's chat forums to nominate the most deserving and conquerable victims, à la "American Idol." Virginia Senator John Warner and Florida Representative Ric Keller are particular favorites. But, as one commenter announces, "Lawn Boy Keller is just the beginning!"

Washington is now awash in ideological groups intent on purifying the parties. First, there came the supply-side Club for Growth, which has spent several election cycles trying to purge Republicans who fail to genuflect before the Laffer curve. But Ned Lamont's triumph over Joe Lieberman in last summer's Democratic primary—and the Club for Growth's near-toppling of Lincoln Chafee in *his* primary—has inspired a new mania for purging. In Lamont's wake, MoveOn, some unions, and the blogger Markos Moulitsas founded Working For Us (WFU), a liberal PAC, which targets Democratic congressmen who deviate on core issues like trade or labor practices. WFU's nonprofit counterpart has already raised $200,000 to spend on ads and phone blitzes in the run-up to the 2008 primaries. Everywhere you look, it seems, there's a wannabe Robespierre.

It is a strange time for such an outburst of internecine struggle. Th e two parties are locked in an epic struggle for control of Congress, where every incumbent occupies precious turf. And what makes the fratricide even more striking is that many of its participants were so recently relatively content with the party. Take NZ Bear (he won't disclose his real name), a dirty blond from Southern California who holds the exalted title Conservative Political Action Committee (CPAC) Blogger of the Year. Before the midterms, NZ never imagined that he would launch a movement to sabotage the National Republican Senatorial Committee (NRSC). But, after the majority had been lost and the Republican leadership freed its members to vote for the Democrats' antiwar resolution, NZ began to feel deeply frustrated. "Basically, Hugh [Hewitt] and I sort of mentally snapped," he recalls. Th e result was the Victory Caucus's precursor, a petition where more than 30,000 signers promised not to donate to the NRSC unless it withheld money from anti-surge senators. Th ey expressed their mood with a poem on the pledge's website: →

David Cowles

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←
There's 100 seats
Where the Senate meets
And they serve at our command,
As the derrieres
That sit on those chairs
Had better understand

The NRSC only found out about the pledge when an employee ran across it on a blog—the Internet equivalent of finding a dead horse's head in your bed. Likewise, Maryland Representative Al Wynn's team discovered he was on the WFU top offenders list when somebody in the office Googled the boss. At first, Wynn's team thought it was a hoax, on the level of those loopy faxes that pour into Washington offices sprinkled with boldface and exclamation points. But, when they and other targeted representatives figured out what it really was, a small firestorm ignited, especially among members who were scared they might be next. Steny Hoyer called WFU's founder to complain, and the list was taken down—temporarily: The group has since launched its own contest to "Nominate a rep. today." "In times like these, no one is safe," says a House aide.

In a gesture toward pragmatism, WFU has vowed to target Democrats who are more conservative than their districts, so as not to risk the seats changing hands. But the nonprofit's first official action was to launch a flurry of radio ads against Senator Max Baucus of Montana, hardly a safe liberal state. No matter what you think of Baucus—this magazine has called on the leadership to strip him of his chairman's gavel—to attack him carries political risks, given that the Democrats have a one-seat Senate majority. But the group prides itself on working beyond the narrow calculus of preserving incumbents. Tom Mattzie, a WFU board member and MoveOn's Washington director, tells me the group decided "to stay focused on the big goal: a progressive majority in Congress, not a minority." In other words, an ideological majority—not a party majority. That's not an outlandish goal, but it's bound to set up more conflicts with the congressional leadership and groups like the NRSC, who exist to protect party majorities.

If party bosses are being replaced, they have only themselves to blame. Parties long cultivated the likes of Hugh Hewitt to spout their line in the face of evidence to the contrary. Hewitt's own elevation to party hero began when he tried to bar Bob Woodward from entering the Nixon Library; last year, he could be found doggedly defending Harriet Miers even after most Republican lawmakers had abandoned her nomination. He's one of the last men you would have expected to start an intraparty insurgency. But if you breed an attack dog, you shouldn't be surprised when it bites back. *Eve Fairbanks*

suffrage, they were also the first to send a congresswoman to D.C. and to elect a female governor.

The part-time political culture of the West—where elected office can seem more like a hobby than a job—also tends to favor women. As Alan Ehrenhalt pointed out in the late '80s, when he investigated why Colorado's state legislature had the highest percentage of female delegates in the country, the Colorado legislature only meets part-time (which makes it more family-friendly) and doesn't pay much (which may dissuade some male breadwinners from running). "While men tend to get involved in politics as a premeditated career option," says Walsh, "women often run because they want to *fix* something."

In the Northeast, bosses long had an interest in making government service a profitable profession. As a result, many legislatures pay a sizable salary—and demand a full-time commitment. "In a part-time legislature, service can be an extension of volunteerism," says Jennifer Mann, a Democratic state legislator from Allentown, Pennsylvania. "In a place like Pennsylvania, you don't fall into a political career by happenstance. It's not something you add to your life—it really replaces what you used to do."

The machine culture of many liberal states helps explain another odd phenomenon: why so many of the women who *have* succeeded at high levels of state politics in the Northeast—think governors Christine Todd Whitman (New Jersey), Jane Swift (Massachusetts), and Jodi Rell (Connecticut)—have been liberal Republicans. Schneider, who is pro-choice, was an environmental activist before she ran for Congress and probably would have been a more natural ideological fit in the Democratic Party. "But, when I looked at Rhode Island's Democratic politicians, all I saw were white Catholic males," she says. "And I thought, 'Whatever party the incumbents are, I am not.'" If the majority party appeared unreceptive to women, the state GOP welcomed her with open arms. Republicans in the Northeast are often so outmatched that they are happy to have just about anyone run. And, in Schneider's case, attempting to depose an incumbent with sky-high approval ratings *did* seem like a fool's errand. But, after a failed first attempt, she snagged the seat and was sworn into Congress at the age of 31.

That's not the only time allowing a woman to embark on a kamikaze mission ended up paying off handsomely for the GOP. Whitman challenged Senator Bill Bradley in 1990 because no one else wanted to take on the giant of New Jersey politics. After unexpectedly coming within a few points of toppling him, she emerged as the obvious choice to run for governor three years later.

Beyond Whitman, there are signs that women are finally beginning to circumvent the New Jersey machine. Two state senators, Nia Gill and Loretta Weinberg, have managed to serve as Democrats while simultaneously cutting ties to county bosses. Gill ran without the support of the Essex County organization in 2003 and stunned party officials when she eked out a victory against their anointed candidate. Weinberg landed in the Senate only after a bitter public fight with the Bergen County boss, who wanted to install the local sheriff instead. Both women champion independent legislative agendas, which is one reason they have feuded so publicly with the chairmen. "When women exercise discretionary power, an uproar ensues," says Gill.

Because they won't play by the traditional rules of New Jersey politics, and because they have an incentive to expose the foibles of the old boys' network, women like Gill and Weinberg are a threat to the long-term dominance of the machines. And so, while it isn't likely that New Jersey female politicians will match the level of representation that women have achieved in a state like Arizona anytime soon, they may be accomplishing something even more important: hastening the day when the bosses—and their strip-club political culture—are finally things of the past.

Alexandra Starr

Alexandra Starr, who writes frequently for Slate, is a 2007 Milena Jesenská journalism fellow.

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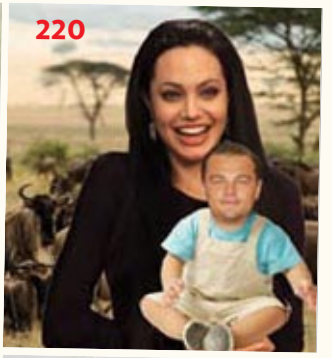
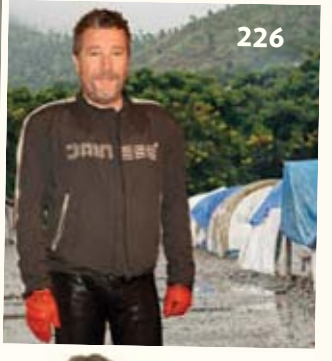
"Africa is sexy and people need to know that," said Bono, guest editor of *Vanity Fair*'s June issue

VANITY FAIR

June 2007 No. 589





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A *TNR* SYMPOSIUM

IRAN: WHAT NEXT?

AGENCE FRANCE PRESSE/NEWSCOM

Keep Away

The case for doing nothing.

LAURA SECOR

IT WAS TWILIGHT for the reform era, with President Mohammed Khatami in his ineffectual final year and a hard-line resurgence taking shape on the horizon, when I visited the Tehran office of a civil society activist named Amir. A slender, clean-shaven man in his early thirties, Amir was a networker of sorts; he spoke perfect English and sent out flurries of petitions when Iranian journalists or activists were imprisoned. He also sat on the boards of five reformist nongovernmental organizations.

Amir seemed nervous the day I met him. Although he hadn't been harassed himself, several of his friends had been called into the intelligence ministry and questioned about his activities. Lately, an endless stream of new cases seemed to flow across his desk—women's rights activists, bloggers, young people spirited away to unknown prisons. The charges were always the same: treason, in the form of participation in a U.S. plot to overthrow the Iranian government.

The reform era, Amir explained to me, may not have accomplished all Iranians had hoped it would in terms of structural political change. But it had opened a space that had not existed before. Khatami had made it possible for some 37,000 nongovernmental organizations to take root, addressing a panoply of social issues and human rights concerns at a granular level. In time, Amir insisted, even when the political space for reform had closed, this civil society could quietly grow, becoming a powerful force for change.

But there was a problem. The government had become convinced that the United States planned to finance and train these activists to overthrow the Islamic Republic, much as it had done in Serbia and elsewhere. In leaked intelligence reports Amir had seen, the regime had meticulously documented its case: "They quote the American Enterprise Institute and Michael Ledeen, as well as the statements of President Bush about civil society," he told me. On the basis of such evidence, the regime was pursuing an aggressive campaign against nongovernmental organizations as well as individual activists and journalists it named as part of a "spider's web" woven by the CIA.

Amir implored me to bring the message back to the U.S. government and think tanks to please stop expressing solidarity with Iranian dissidents. He said that, to his knowledge, all offers of U.S. funding, however tempting, had been refused as too dangerous and compromising. "If the link is not there, why do this?" he demanded. "We have no relations with the United States. We are not receiving money."

Indeed, the activists had labored tirelessly to persuade the conservative establishment that their organizations could peacefully co-exist with the Islamic Republic, that they were law-abiding and did not serve foreign masters. The alternative was to face closure, fines, imprisonment, and worse. The Americans who were muddying these waters, Amir surmised, were naïve—unschooled in the ways of the Iranian regime and the methods activists had carefully calibrated for resisting repression.

The activists, for their part, lived and breathed the problems they sought to ameliorate, and they had worked hard, at great personal risk, to come up with strategies that fit the context. This did not mean they favored Islamic government. "We have nothing against your ideology," Amir told me with some exasperation. "We hate this system ourselves. But we know how to do it."

Why do I register Amir's plea now, two and a half years after he made it, and at a time of nearly unparalleled tension between the United States and Iran? Because the temptation to ignore it could hardly be greater. Iran presents a tantalizing contradiction. The United States has no greater rival in the Middle East than its government, and no greater ally than its people. It seems nearly inconceivable that our government, with its vast wealth and democratic ideals, shouldn't be able to turn this situation to its advantage.

Moreover, Iran has something unique in the region: a democratic movement that is large, organized, intellectually sophisticated, and politically skilled. Inspired by liberal Shia thinkers but also by Western liberal philosophers, including Jürgen Habermas and Karl Popper, many Iranian liberals seek to enshrine the Universal Declaration of Human Rights at the foundation of their state. If this largely youthful movement prevails, the United States, the Iranian people, and Iran's neighbors all win.

So where do we Americans come in? Well, that's the thing. We don't. This is an epic struggle, invested with no small measure of heroism. But that struggle and the associated heroics are not ours. They belong to the Iranians. Getting involved with the Iranian opposition might make us feel good, but it will only hurt the people we seek to help.

We have been told this repeatedly by the movement's protagonists—not just activists like Amir, but such moral authorities as Nobel laureate and human rights lawyer Shirin Ebadi; human rights defender and investigative journalist Emadeddin Baghi; and leading dissident thinker Akbar Ganji, who spent six years behind bars writing a radical manifesto calling for an end to what he called "sultanism" in Iran. These are some of the least compromised and most respected figures in the Iranian opposition. All three have risked their lives and served prison time in the struggle for

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human rights, government accountability, and democratic liberties in Iran.

And yet, writing on the American Enterprise Institute website in December, Michael Rubin declared that there were only two kinds of Iranian dissidents who rejected U.S. aid: those whose agenda for change was timid and blinkered and those who labored under misconceptions about American intentions. In other words, there is no need to take seriously the wisdom such figures have forged in struggle in their own country, let alone their concern for the personal safety of Iranian activists and the longevity of their movement. If only Ebadi, Baghi, and Ganji shared Rubin's purity of vision and properly grasped the extent of American benevolence, they would happily accept cash and other assistance that would mark them forever as tools of an enemy nation's foreign policy.

The impulse to write off the expressed wishes of Iranian activists is dangerous and ill-advised, but it is understandable. To stand back and watch Iranian history unfold—to imagine that we cannot, with our dollars and our weapons and our bully pulpit, materially assist a vulnerable democratic movement in need—is deeply unsatisfying, especially to those who imagine the United States as democracy's white knight. Alas, nearly all of our options in Iran are unsatisfying. But, if Iraq has taught us nothing else, we should know better than to scorn local knowledge and prudent measures in the pursuit of grand, self-pleasing gestures.

Of course, many Iranian dissidents will be smeared as American stooges whether or not they take U.S. money. But the United States only makes the situation worse by publicly thrusting financial and logistical support onto the democracy movement. That such tactics are harmful should be obvious; that the United States has had a hard time finding takers for the additional $75 million it allocated to Iranian dissidents last year should make it clearer still. As Amir wrote to me in a recent e-mail, "I think the strategy of the United States to allocate money is the most unhelpful, unnecessary, and damaging policy that a state could adopt to destroy or hinder the democratization process in Iran." Just the announcement of this strategy, Amir continued, even if not a cent of the money is distributed, has endangered Iranian dissidents. The women's rights activists who were imprisoned in March were interrogated almost entirely about U.S. money: How much did they receive, when, and from whom? Even more absurdly, when thousands of teachers demonstrated across Iran in March for higher wages, the hardline government attempted to paint them, too, as tools of the CIA.

We need to rethink our country's policy toward the Iranian opposition, and we must do so not in isolation, but by listening respectfully to the requests of Iranian activists, whose fight this truly is. One thing they invariably advocate is for Washington to promote cultural and academic exchange between the United States and Iran. This will undoubtedly sound like a disappointing comedown to those who dream of fomenting revolution by remote control. But there is a deep and genuine thirst among Iranians for knowledge and experience of Western liberalism, and slaking that thirst can have a far-reaching influence not just on the events of today but on the democratic culture Iranian civil society activists seek to build for the future. The United States, rather than restricting visas to Iranian nationals, as it currently does, should greatly increase the number of student visas it issues; we should bring Iranian scholars and journalists to our shores; and we should offer to donate English language books to Iranian universities, whose libraries are currently starved for them. Amir even suggested holding workshops for Iranian clergymen outside of Iran—on issues "related to human rights, secularism, the relationship between state and religion, understanding democracy, and American history."

Although proclamations of solidarity with democracy activists are ill-advised, Washington can still apply some rhetorical pressure, provided its strategy is judicious and undertaken in cooperation with other countries or international organizations. The object of such pressure should be not democracy but human rights. The language of democracy, particularly in the shadow of the call for regime change, is ideological, but that of human rights is universal, unobjectionable, and much harder to resist. By calling attention to abuses and pressing Iran to release political prisoners and respect the freedoms of speech and association, the United States, other world powers, and the United Nations can appeal to widely shared ideals and human dignity, rather than ideology and threats of overthrow. The Islamic Republic has shown time and again that it is vulnerable to this kind of shaming. Political prisoners who become internationally renowned, such as Ganji and Hashem Aghajari, are far likelier to be released than those whose cases remain obscure.

"Democracy in Iran and the Middle East is not a commodity to be imported," Amir wrote to me two weeks ago, invoking the specter of Iraq. "It takes time and needs educated, knowledgeable people in the society. It's a long-term process, which needs people who understand the West and its values and are not hostile to it."

The United States has much to contribute to that process by way of ideas and information. In this, our own civil society, including media and academe, has a crucial role to play. But to truly act as a friend to the Iranian opposition, let alone the Iranian people, requires the U.S. government to exercise virtues that are not among America's strengths: restraint, subtlety, and a willingness to parse fine distinctions that can be matters of life and death. Fortunately, these are among the hard-won virtues of the Iranian opposition. If we are lucky, we will have friends from whom to learn. ◆

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Necessary Threat

To avoid conflict, prepare for war.

ROBERT KAGAN

THE PARADOX of U.S. policy toward Iran is that no one, including the Bush administration, wants to use military force. Yet neither Tehran nor our European allies have sufficient incentive to stop Iran's nuclear program peacefully without a reasonable belief that the United States will use force if diplomacy fails.

Those who oppose military action rightly point to the risks involved. Iran would retaliate and probably with some success. Any military action would prompt angry denunciations even from close allies. International condemnation might be tolerable if the action accomplished its purposes. But, even after a successful attack, the United States would not know how much damage it had done to Iran's nuclear program and would have a difficult time monitoring the Iranians' inevitable efforts to resume it. The only answer to both problems would be to remove the regime entirely and install international monitors. But that would require at least temporary occupation of the country and the use of hundreds of thousands of ground troops that the United States does not currently have.

For these and other reasons, military action really should be the last resort. By far the best option remains the marshalling of international political and economic pressure against Iran so as to isolate and impoverish the ruling elite and strengthen the hand of those who already may be questioning the wisdom of the current path. There are signs these pressures have caused concern in Tehran, though not enough to change its course. More pressure and isolation could possibly convince Iranian leaders to delay or even suspend their program.

Unfortunately, the prospect of greatly increased international pressures, absent a credible military threat from the United States, is not bright. There is little will among the EU-3—Great Britain, France, and Germany—to move toward strict and punitive economic sanctions against Iran and a growing unwillingness, especially in Berlin, to act without Russian approval. If Russia refuses to isolate Iran, the leading European powers are unlikely to act on their own.

European reticence poses problems in the long as well as short run. Some American analysts believe the United States, rather than taking military action, should lay the groundwork for international containment of Iran once it acquires nuclear weapons. But they overestimate the international community's enthusiasm for such a policy. Russia will not participate in the containment of a nuclear Iran, and the same Europeans who are reluctant to confront Iran now will be even more reluctant to confront it when it has nuclear weapons. This is partly because the majority of Europeans do not believe they have anything to fear from Iranian nuclear arms—unless they provoke Tehran. French President Jacques Chirac's admission that he could tolerate Iran's possession of nuclear weapons accurately reflects the European consensus.

In fact, to the degree that Europeans are engaged on the Iran issue at all, it is not because they fear Iran so much as because they fear the prospects of a U.S. attack on Iran. The primary aim of the EU-3 talks over recent years has been not to stop Iran's program but to forestall a U.S. action Europeans consider fraught with peril. Paradoxically, or perversely, the Bush administration's continued warnings of possible military action have long provided the strongest incentive for continuing European diplomatic efforts.

For all these reasons, the prospect of a U.S. attack on Iran to prevent its acquisition of a nuclear weapon must be more, not less, credible than it is today. This will require an increase in U.S. military capacities, especially a rapid and significant increase in the overall size of U.S. ground forces. But it will also require substantial political preparation. The present administration has lost credibility with the American public and the world. Were it to claim that Iran is on the verge of building a nuclear weapon, even if intelligence supported such a judgment, most observers would be skeptical. For this and many other reasons, one hopes that Iran will not reach that stage during Bush's presidency. Still, the credibility problem will persist beyond Bush. This administration should begin now to foster greater confidence that the United States will act only on the best available intelligence.

One way to do this is to create yet another bipartisan panel of respected "wise men" to provide regular assessments to the president on the progress of Iran's nuclear program. Bush or any future president would retain the right to take action, or not take action, regardless of the panel's assessment. But ignoring the panel would carry high political risks. The panel itself could be trusted to make a sober judgment of the available facts, inasmuch as it would not want to be held responsible either for the emergence of a nuclear Iran or for a war not justified by the evidence. The virtues of creating such a panel—which might include such senior statesmen as Harold Brown, Brent Scowcroft, Henry Kissinger, George Shultz, and William Perry—are twofold: It would provide reassurance that the United States would not act rashly, and it would also signal American seriousness and determination to act if Iran is found to be on the verge of building a nuclear weapon.

A more credible military option opens the door for more flexible diplomacy. To the extent the United States can establish its ability and willingness to take military action when it becomes necessary—and to the extent that it can build support for such action at home—it will then be free to pursue all possible diplomatic paths to avoid such action, including direct and unconditional negotiations with Tehran. The main reason the United States avoids such talks now, without a prior suspension of Iranian efforts to enrich uranium, is that it fears Iran will simply drag out talks while it proceeds with its nuclear program. But Iranian stall tactics become far less effective if the United States has already signaled that it is willing to take military action to prevent Tehran from acquiring nuclear weapons.

There is bipartisan consensus in the United States that Iran should not be allowed to build a nuclear bomb. A nuclear-armed Iran under the present regime will inevitably grow bolder in pursuing traditional Iranian hegemonic ambitions in the Middle East as well as the ideological mission of spreading its version of Islamic fundamentalism. It will be freer to take aggressive action against neighbors, especially by supporting terrorist groups, knowing that the United States will be wary of confronting a nuclear power. The resulting combination of increased Iranian ambition and the loss of confidence in American resolve will force Iran's neighbors either to accommodate Tehran's rising power or to build nuclear weapons themselves to safeguard their own security and independence. Given Sunni

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fears of a Shia bomb, the latter option seems likeliest, which would mean a new, many-sided nuclear arms race in the world's most unstable region.

It is not enough to ask whether there are enormous risks and dangers in taking military action before this sequence of events unfolds. There are. But history teaches that the choice is often not between war and no war. Even if the United States chooses not to take military action in the coming years, it might well have to fight later under even more disadvantageous circumstances. The best way of avoiding war is to create a credible threat of military action and then proceed with steps that could produce a peaceful resolution of the crisis—vigorous international diplomacy and stronger sanctions. But the military option needs to be viable—not least because, as the recent hostage crisis involving British sailors makes clear, Iran itself may start a war. ◆

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Squeeze Play

Approach Tehran with sticks, not carrots.

DENNIS ROSS

Consider this scenario: The Saudis have gone nuclear. So have the Egyptians. Both countries had been signatories to the Nuclear Non-Proliferation Treaty, but that agreement is now dissolved. Riyadh and Cairo acquired their weapons from Pakistan, a Sunni ally, in response to the nuclear threat from Shia Iran. Meanwhile, Iraq continues to fester, the Israeli-Palestinian conflict is far from settled, and Iranian proxies remain firmly entrenched within Lebanon's combustible sectarian mix—a mix that pits Sunni against Shia and just so happens to exist on Israel's northern border. In short, all the key players in the Middle East—Sunni, Shia, Israeli—now have nuclear weapons at a moment when the simmering and, in some cases, quite open conflicts between the region's states, sects, and ethnicities are almost too numerous to count.

If that situation sounds terrifying, it should. And it may well come to pass if Iran is allowed to go nuclear. This past December, Saudi Arabia's foreign minister, Saud Al Faisal, declared that Riyadh, in conjunction with surrounding Gulf states, might seek to develop nuclear power. He insisted the program would be used only for peaceful purposes, but, to many, Faisal's words sounded like a threat: Since Iran is pursuing nuclear weapons, maybe we will, too. If that happens, Egypt probably won't be far behind. Senior Egyptian officials have told me that, if we cannot stop Iran from going nuclear, it will spell the end of the nuclear nonproliferation regime.

Needless to say, a nuclear arms race in the Middle East would greatly increase

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MORTEZA NIKOUBAZL/REUTERS/LANDOV (LEFT); GAMMA PRESSE/NEWSCOM

the chances of war—between Sunnis and Shia or between Israelis and Muslims—through mistake or miscalculation. For this reason alone, we must prevent Iran from acquiring nuclear weapons. The question is: How?

There seem to be two parallel realities today regarding Iran's nuclear program. On the one hand, most of the international community appears to oppose Iran going nuclear, and the Bush administration has helped forge two U.N. Security Council resolutions (despite Russian and Chinese hesitancy) that impose limited sanctions on the Iranian nuclear and missile industries, as well as individuals and entities associated with them. Even though the sanctions were far less stringent than those the administration initially sought, they seem to have created dissonance within the Iranian elite. Criticism of Iran's president, Mahmoud Ahmadinejad, has become much more open and far more pointed. One newspaper associated with Iranian supreme leader Ayatollah Ali Khamenei went so far as to say that Ahmadinejad was using the nuclear issue to divert attention from the failings of his government. As Undersecretary of State Nicholas Burns, the administration's point person on the issue, put it, "We've roiled their government, and I think we've shocked them a bit."

That's the good news. Now the other reality: The Iranians continue to press ahead with their nuclear program. The International Atomic Energy Agency reports that Tehran, some technical difficulties notwithstanding, has already produced at least 1,000 centrifuges for enriching uranium. It is now reasonable to assume that Iran will, before the end of this year, be able to reach its aim of manufacturing 3,000 centrifuges. And, once Tehran has that many centrifuges operating efficiently, it will only need about nine months to generate sufficient fissile material for one nuclear bomb.

In other words, the Iranians may be feeling pressure, but they have yet to change their behavior. The diplomatic track is slowly having an impact on Iran's leadership, but at a pace that continues to be outstripped by the country's nuclear advances. The key, then, is to find a way to alter the calculus—and, therefore, the behavior of Iran's rulers—more quickly.

Some suggest this can be done by dropping our conditions and engaging Iran. I favor this approach—but only if it is guided by an understanding that penalties, more than inducements, are the key to altering the Iranian position. When inducements have been put on the table—such as the British, French, and German offer to provide Iran with light-water nuclear reactors—the Iranians seem to have had little trouble rejecting them, and without hints of dissonance among the country's elite. Yet, when even the threat of U.N. sanctions appeared real, we began to see signs of a much sharper internal Iranian debate. For instance, last October, as discussion of sanctions was unfolding at the United Nations, former Iranian President Ali Akbar Rafsanjani released a secret letter from Ayatollah Khomeini explaining his decision to end the war with Iraq. With Ahmadinejad and his constituency as the intended audience, an Iranian newspaper commented that the letter revealed Khomeini's understanding that one cannot permit ideology to get in the way of a "realistic understanding of the international situation."

Why have sticks been more effective than carrots? Because virtually all mem-

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bers of the Iranian elite, including moderate ones, appreciate the value of having nuclear weapons—they are a symbol of national power, they can be useful for deterring the United States, and they are seen as promoting Iranian dominance throughout the Middle East. No combination of inducements can match the value of having nuclear weapons. But the value of nuclear weapons has to be weighed against the potential cost. If the cost is international isolation and economic deprivation, the picture changes for a significant part of the Iranian elite. That elite is basically divided between the Revolutionary Guard confrontationalists represented by Ahmadinejad, the conservative but pragmatic mullahs represented by Rafsanjani, and the reformers represented by former President Mohammed Khatami. The Rafsanjani and Khatami contingents are clearly susceptible to negative external pressure; and they, in turn, can curb the influence of Ahmadinejad and his followers.

Indeed, it seems they already have; witness the recent release of the British sailors. What's more, with an economy characterized by significant unemployment, high inflation, a plummeting stock market, declining oil production, and a diminishing of the revenue so necessary for preserving social peace, and with Ahmadinejad's confrontational approach on the Iranian nuclear program generating internal criticism, it is probably no coincidence that Ali Larijani—Iran's nuclear negotiator, who also happens to be close to the supreme leader—is these days evincing more hints of willingness to strike compromises.

All of which is to say that a deal may be possible, but it won't come from chasing after the Iranians. They must know that they will pay a high price for pursuing nuclear weapons (while also seeing that the door remains open to a deal that allows for civil nuclear power and includes economic sweeteners as well as mutual security guarantees). This argues for an approach focused on squeezing Iran economically—a strategy in which the Europeans and Japanese will have to assume the lead. Both are taking some steps now, but they are capable of doing much more to cut Iran off from credits, outside investment, banks, and commerce. So long as the Europeans are providing approximately $18 billion in loan guarantees for companies doing business in Iran, the Iranians won't be convinced they are on the brink of seeing their economic lifeline severed. Here, the Bush administration should be more aggressively exploiting the leverage of the Saudis, who, after all, see Iranian nukes as a profound threat: We should be encouraging Riyadh to use its financial clout with the Europeans, the Japanese, and even the Chinese to choke off Iranian access to the international economic system.

Most world leaders, including our allies, are desperate to prevent the United States from attacking Iran. President Bush should make it clear to them that *they* have the power to forestall military action—by exerting economic pressure that further opens fissures in Iran's elite, which will in turn raise the likelihood of Ahmadinejad being forced to back down. We must convince our allies to move comprehensively, not incrementally, to ratchet up the economic pressure on Iran—and soon. The choice is theirs, but they are running out of time to make it. ◆

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Culture War

America's best weapon is the Iranian people.

AZAR NAFISI

Thinking of the dominant views among American policymakers on Iran, I am reminded of the great Persian poet Jalaledin Rumi's story about a group of people trying to describe an elephant exhibited in a dark room. One felt the elephant's back and claimed that it resembled a great throne. Another, touching its ear, declared it was in fact a huge fan. A third felt its leg and concluded it must be a large pillar.

The Islamic Republic has been with us for almost three decades, yet still it manages to amaze and confuse the experts. In the 1990s, Mohammed Khatami inspired the majority of Western commentators to believe that Iran was on the verge of upheaval. But, while Khatami may have distinguished himself from his predecessors by ushering in a milder version of the Islamic Republic, he was, and remains, very much a part of that system. Today, Mahmoud Ahmadinejad has persuaded us that the same system is an imminent menace and must, therefore, be overthrown. Yet, while Ahmadinejad may be more repressive and violent than previous presidents, his reactionary tendencies are fundamentally a sign of the Iranian system's weakness—not its strength.

The problem is that Western pundits are only feeling part of the elephant—the political one—and ignoring the most important part: the Iranian people themselves. If you take the long view of Iranian history and focus on the country's people rather than its rulers, a very different picture emerges: that of an Iranian order in crisis.

Evidence for this proposition is everywhere. A cursory look at Iran's publications and blogs shows that, although some Iranians—for a variety of reasons—support their regime's nuclear ambitions, most are far more interested in trying to redress day-to-day problems like corruption, the struggling economy, rising unemployment, political and social repression, and a general lack of freedom. Few are well-informed about the nuclear program, and most are embarrassed and disturbed by the image of their country in the world. Indeed, Iran's new international isolation and pariah status is deeply unpopular at home, and the fact that the government is emptying its coffers to foment revolution abroad rather than to support the welfare of the Iranian people has turned many of Ahmadinejad's supporters against him. Workers' protests have lately escalated in at least ten cities. Angry union leaders have held the president responsible for the weakening of the economy. In the recent city council elections in Tehran, only two of 13 winners were supporters of Ahmadinejad.

This discontent has seeped upward to high levels of Iranian politics—for instance, members of parliament, who, during Ahmadinejad's presentation of the annual budget last December, noisily protested the worsening economic conditions. There has even been serious talk about impeaching him. Since his election, Iranian hard-liners have openly divided into two opposing factions, creating a great deal of anxiety among conservative leaders who have been trying to mend the breach. Prominent reformist dissenters, such as

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Ayatollah Montazeri, have accused the government of using the country's considerable resources to meddle in other people's affairs. Even Ahmadinejad has occasionally sounded dispirited. He recently conceded that 28 years of Islamic rule has failed to eliminate liberal elements from Iranian society. Almost 30 years ago, in his prophetic essay "The Power of the Powerless," Václav Havel wrote that "a specter is haunting eastern Europe: the specter of what in the West is called 'dissent.'" That specter has now moved to Iran.

The fact that neither Khatami nor Ahmadinejad has been able to foster unity—even within the ruling elite—is a good indication of the crisis within the system. For over two decades, the main resistance to that system has come from within Iranian civil society. And it is Iranian civil society that will ultimately prove to be the Achilles heel of the Islamic Regime.

Knowing this, our target must be the Iranian people more than the Iranian government. Openness and freedom are far more likely to come from a change of mindset than from regime change. We must realize that our best weapons against autocracy and terrorism are not military or even diplomatic but ideological and cultural. The fight for Iranian democracy is not simply a political one; in this respect, Iran is very much like communist Eastern Europe and apartheid South Africa. The story of how those countries were liberated reminds us that human rights extend beyond the realm of government. In places where the state has politicized not just the cultural and social arenas but also the most private aspects of citizens' lives, resistance to a repressive system takes on an existential dimension: It is not just a struggle for political rights but also for the right of individual citizens to live the way they choose.

Who in the West will champion these existential rights on behalf of Iranians? No government—no matter how liberal—can devote itself only, or even primarily, to the defense of human rights and personal freedoms abroad, so we must rely on other actors to push the cause of liberty. I am speaking, of course, of nongovernmental organizations. What is needed is for human rights groups, activists, and journalists to take up the cause of the Iranian people. The secular journalist Faraj Sarkuhi, the former revolutionary and dissident Akbar Ganji, and the reformists Emadeddin Baghi and Ramin Jahanbegloo owe their freedom to a great degree to the efforts of organizations like PEN, Amnesty International, Human Rights Watch, and Reporters Without Borders, as well as to the attention of journalists throughout the world. In the case of a recent transportation strike—a strike that received little coverage in the U.S. press despite being brutally repressed by the Iranian government—Western labor unions played an important role in the release of the protest's organizers. The progressive women who have staged two demonstrations since the start of Ahmadinejad's presidency are in the midst of a campaign to garner one million signatures demanding equality and justice for women in Iran. U.S. feminist groups should be doing far more to support them in their struggle.

Of course, this is not to say that governments have no part to play. A firm and united stand by the international community on Iranian human rights will send a message to the regime that it cannot bend other countries to its will, while encouraging more moderate and dissatisfied elements within the ruling elite to voice their displeasure.

In taking such a stand, Western governments must carve a path between the extremes of appeasement and belligerence. On the one hand, displays of weakness from the international community—such as the U.N. Human Rights Council's recent decision to stop monitoring Iranian and Uzbek human rights violations, even though executions in Iran are currently on the rise—suggest to Tehran that the West does not care about the fate of Iranian activists. "The council's action amounts to an endorsement of crackdowns on human rights in Iran and Uzbekistan," explained Peggy Hicks, the global advocacy director for Human Rights Watch. "It shows utter disregard for the human rights activists who are struggling in these countries."

At the same time, the notion that Iran will be subdued into compliance with a handful of precision-guided missiles is as dangerous and fanciful as the belief that an invaded Iraq would serve as a model of enlightened democracy. Indeed, to attack Iran at this point would be to send a lifeline to the regime's most militaristic elements, which would use an attack as an excuse to quash all domestic dissent.

Meanwhile, military action would damage the credibility of Iranian liberals. From studying the example of Eastern Europe, they have learned that the ends of democratic revolution must be the sum total of the means employed—that an open and democratic society can be reached only through open and democratic methods. Fortunately, we can help them. The most important weapon in the U.S. arsenal is not its military might but its culture. Vigorously defending and promoting those values the United States was long thought to represent—freedom of expression, freedom of movement, freedom of conscience—will do a great deal more than any missile to neutralize Iranian radicals. And, though this wide-ranging task is probably beyond the capability of American politicians, it is not beyond the capability of America. ◆

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The Choke Artist

Who are the mysterious critics hunting Henry Heimlich?

JASON ZENGERLE

"A SERIOUS MATTER HAS been brought to my attention," the letter began. Addressed to an official in the Office for the Protection of Research Subjects at the University of California at Los Angeles, it accused two UCLA medical researchers of participating in illegal human experiments on HIV patients in China. "These experiments consist of giving malaria to people already suffering from HIV and full-blown AIDS," the letter alleged, before going on to make an even more startling claim: "[T]hese experiments have been conducted under the direction of Dr. Henry J. Heimlich, known for the Heimlich maneuver."

The letter, which was sent via e-mail in October 2002 and was from a "Dr. Bob Smith," was merely the first in a series of epistolary attacks against Heimlich. A few months later, editors at more than 40 publications—ranging from *The New York Times* to the medical journal *Chest*—received missives from someone calling himself "David Ionescu" that accused Heimlich of improperly taking credit for inventing a type of esophageal surgery. And then, in September 2003, the website heimlichinstitute.com went online. Its URL was almost identical to the official website of Henry Heimlich's Heimlich Institute, heimlichinstitute.org, but, rather than being dedicated to burnishing the doctor's legend, it was devoted to tearing it down. The site featured a long, angry indictment of Heimlich and accused him of all sorts of medical misconduct. The site's proprietor was listed as "Holly Martins"—the protagonist in the 1949 film noir *The Third Man*.

The octogenarian Heimlich seemed an unlikely target of so many people's ire. He had entered into the pantheon of medical history not for inventing a disease-eradicating vaccine or for isolating the DNA of a killer virus but, rather, for developing an anti-choking maneuver that even a child could perform. And, yet, it is the very simplicity of Heimlich's lifesaving technique that makes it so ingenious; because anyone can perform the maneuver, anyone can save a life. Since its invention in 1974, it has become a standard First Aid procedure around the world; and, while it may have been hyperbole for Norman Vincent Peale to once declare that Heimlich "has saved the lives of more human beings than any other person living today," it was fair to say that, by the measure of name recognition at least, the maneuver had made Heimlich America's most famous doctor.

But, after the letters started arriving, Heimlich could no longer rest on such laurels. When I met him in his office at the Heimlich Institute, he was under siege. Heimlich is tall and thin with a sharp nose and watchful gray eyes, giving him an almost avian appearance. He wore a coat and tie and, as he sat at his desk, he told me that he still put in a five-day work week—but what he was working on was unclear. The impressive-sounding Heimlich Institute, in fact, consisted of just two rooms in an administrative annex behind Cincinnati's Deaconess Hospital. On the afternoon I visited, Heimlich had cajoled his old secretary, who had recently been laid off due to lack of funds, to come in to help find some files for me; otherwise, he was the only person at the Institute.

And, yet, even in its diminished state, Heimlich's office served as an impressive testament to his unique stature. Framed cartoon strips that referenced the Heimlich maneuver shared wall space with pictures of celebrities—Cher, Elizabeth Taylor, Ronald Reagan—who were saved by his anti-choking treatment. A giant toy caterpillar—"Heimlich," a ravenous character from the Pixar movie *A Bug's Life*—sat on the floor by his desk. Heimlich thumbed through a stack of newspaper articles. "I still get clippings from papers from all over the country whenever somebody saves a life," he said in a tone that sounded both boastful and surprised.

Heimlich was copied on some of the letters attacking his reputation; but, initially, he paid them little mind, assuming no one would take the allegations seriously. Soon, though, the attacks began to exact a toll. UCLA launched an investigation into its researchers' work with Heimlich and ultimately found that one researcher had violated federal laws. Meanwhile, *The Cincinnati Enquirer*, Heimlich's hometown paper, ran a front-page story in which a rival doctor called Heimlich "a liar and a thief." Other doctors soon followed suit. Even the American Red Cross began to take a second look at the Heimlich maneuver. Heimlich and his family were traumatized. "It's an incredibly painful and difficult thing for someone to go through in the twilight of his life," Phil Heimlich, the eldest of the doctor's four children, told me.

Heimlich eventually decided that he could no longer do nothing. He hired a lawyer and an investigator to determine who was behind the allegations—or, as Heimlich called them, "the hate campaign." It was an investigation that would take months and frequently run into dead ends. For a reason that Heimlich did not yet understand—a reason so shocking that, when he did discover it, it would shake him to his core—his mysterious critics had gone to great lengths to conceal their identities, wielding their anonymity as a potent weapon against his fame.

But, although he was pained by the attacks, in some ways Heimlich actually relished the confrontation—because he had never shied away from a fight. Lost amidst the tchotchkes and celebrity photos in his office that testify to the maneuver's success is the story of just how hard he fought to get the medical establishment to accept it in the first place. Indeed, Heimlich's achievement was not so much the maneuver itself but the vigorous and sometimes underhanded campaign he waged to promote it. Heimlich's genius—one that has been adopted lately by everyone from drug companies to war planners—was to circumvent the experts and take his case directly to the people. A showman as much as a scientist, a brawler as much as a doctor, Heimlich was the P.T. Barnum of medicine—his career serving as testament to the fact that even the supposedly fact-based medical realm is susceptible to the phantom powers of personality and salesmanship.

"This letter is to bring to your attention allegations that the INTERNATIONAL SOCIETY OF SURGERY, *the* WORLD JOURNAL OF SURGERY, *and the American medical journal,* DISEASES OF

GARY TAXALI

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THE CHEST, *have been defrauded by Dr. Henry J. Heimlich of Cincinnati, Ohio, USA, best known for the Heimlich maneuver.*"—letter from "David Ionescu," April 3, 2003.

IN 1963, A Florida coroner named Robert Haugen published an article in the *Journal of the American Medical Association* that called attention to a frequently overlooked medical problem. Haugen detailed the cases of nine Florida diners who each collapsed and died while eating at a restaurant. Their deaths were initially attributed to natural causes, usually a heart attack. As Haugen wrote, it wasn't until his office performed an autopsy and discovered a large bolus of food lodged in each person's airway—"steak in four cases, beef in two, ham fat in one, kippered herring in one, and broiled lobster in another"—that the cause of death was correctly determined to be asphyxiation. Haugen dubbed this phenomenon "the café coronary" and implored the medical community to recognize choking as a serious problem.

Medical researchers began working to come up with an anti-choking treatment more scientifically advanced than the age-old backslap. One doctor invented the "Throat-E-Vac," which, after being inserted into the victim's mouth and creating an airtight seal, supposedly sucked up whatever was obstructing the airway. Haugen himself marketed a nine-inch-long pair of plastic tweezers—the "ChokeSaver"—that would-be rescuers could use to grasp the offending piece of food in the victim's throat and pull it out. As the public furor over choking grew—with radio stations running public service announcements about the threat posed by "the café coronary"—it was clear that the doctor who devised a successful anti-choking treatment would be hailed as a medical hero.

That Henry Heimlich found such a prospect appealing was hardly surprising. He had experienced his first taste of the glory that comes to those who save lives in 1941, when, as a 21-year-old passenger on a New York City–bound train, he rescued a fellow traveler after the train derailed in Connecticut—earning him a mention on the front page of *The New York Times* and a gold watch from the Greater New York Safety Council. After serving as a Navy doctor in World War II, during which he volunteered for "prolonged extra-hazardous" duty in the Gobi Desert, he returned to New York and specialized in thoracic surgery—a field that allowed him to hold a patient's beating heart in his hands. But even that proved unsatisfying. As a mere surgeon, Heimlich concluded, he was limited to the finite number of people on whom he could operate. By devising new and revolutionary treatments and procedures, he could exponentially increase the number of lives he saved.

Heimlich started off, in the mid-'50s, by introducing a surgery that made it possible for people with severe esophageal damage to swallow food. He called it the "Heimlich operation." Later, he devised a chest drain valve that could be used to treat a collapsed lung, which he named the "Heimlich valve." In 1969, Heimlich, along with his wife Jane (daughter of the dance hall impresario Arthur Murray), his sons, Phil and Peter, and his twin daughters, Janet and Elisabeth, moved to Cincinnati, where he became director of surgery at the city's Jewish Hospital. It was there that he turned his attention to choking.

Heimlich still relishes telling the story of his most famous invention. "No one was doing much about [choking] except for these gadgets," he says, dismissively waving his hand. He set out to develop a treatment that was, as he puts it, "so simple anybody could do it." From his thoracic surgery experience, Heimlich knew that at the moment of choking the lungs contained a substantial amount of air. He concluded that the best hope for devising a practical anti-choking treatment lay in harnessing that air to expel whatever was lodged in the larynx.

Heimlich's research methods, at least with the benefit of 30 years of hindsight, seem comical. In his hospital's animal lab, he partially anesthetized a 38-pound beagle—"the equivalent of having three or four good stiff drinks at dinner," he told his lab technician. Next, he "strangled" it with a cuffed endotracheal tube inserted into the larynx. Then Heimlich attempted to dislodge the tube. At first, he tried pressing on the dog's chest, but nothing happened; with the beagle on the verge of death, he dejectedly removed the tube. Then inspiration struck. "I just got the idea that if I push up on the diaphragm, the diaphragm comes up, the chest cavity decreases in volume, and that would compress the lungs," Heimlich recalls. Sure enough, when he did just that, the tube flew out. He tried the same technique on three other beagles, each time with the same result. Elated, he sent his lab tech down to the hospital commissary for some raw hamburger. That flew out of the beagles' mouths, too.

Of course, all Heimlich had proved with his experiments was that his anti-choking treatment worked on dogs. Whether it would work on humans was an open question. Seeking an answer, Heimlich prevailed upon the editor of *Emergency Medicine*—a "throwaway" journal that did not require its articles to be peer-reviewed—to let him propose his anti-choking treatment in its pages. Writing in the June 1974 issue, under the headline "POP GOES THE CAFÉ CORONARY," Heimlich instructed would-be rescuers on how to perform the maneuver. He urged readers to report the results of their rescue attempts to him. The public would serve as both his researchers and his subjects.

Heimlich made certain that a copy of his *Emergency Medicine* article made it to Arthur Snider, the *Chicago Daily News*'s nationally syndicated science writer. The week after Snider's article on Heimlich's proposed new anti-choking treatment appeared, a retired restaurant owner in Washington state used the new treatment to save his choking next-door neighbor. "NEWS ARTICLE HELPS PREVENT A CHOKING DEATH" read the headline in *The Seattle Times* a few days later. Other Snider readers across the country made similar rescues, inspiring more headlines. But, despite the growing number of positive anecdotal reports, not everyone jumped on the Heimlich maneuver bandwagon. Based on the lack of hard scientific evidence, the American Red Cross—much to Heimlich's consternation—would only endorse the Heimlich maneuver as a secondary technique to be used if back blows were unsuccessful.

The only body that seemed capable of resolving the dispute between Heimlich and the Red Cross was the National Academy of Sciences. In June 1976, the academy's Committee on Emergency Medical Services convened a two-day conference on "Emergency Airway Management." The committee included such preeminent research doctors as Peter Safar, the co-inventor of mouth-to-mouth resuscitation, and James Jude, who discovered cardiopulmonary resuscitation (CPR). On the conference's first day, Heimlich gave an impassioned speech, boasting of the more than 500 lives he said the maneuver had already saved. After his presentation, nine conference participants gathered in the academy's boardroom to try to reach an official consensus on choking treatments. For hours, they debated. Finally, as the clock ticked past midnight, they voted six to three in favor of elevating the Heimlich maneuver above the backslap.

But the group's chairman, an anesthesiologist named Don Benson, still harbored doubts, and, the next morning,

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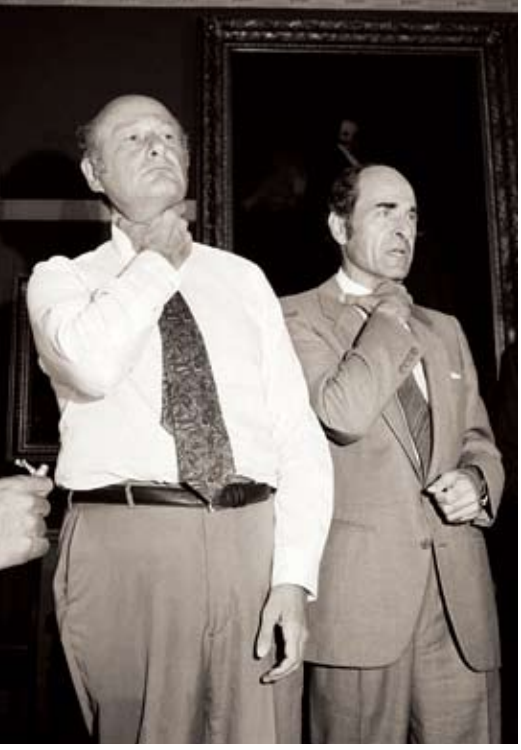

AP (TOP); EVAN RICHMAN/BETTMANN/CORBIS

The ultimate salesman, Heimlich enlisted everyone from Ed Koch to cute children to promote the maneuver.

he told the conference that the group had been unable to obtain a "universal opinion." Heimlich stormed out of the conference. He was convinced he had a proven lifesaving idea and that the only thing preventing the medical establishment from accepting it was professional jealousy. "These were the guys who were the experts ... but none of them, despite all their years of expertise, had come up with this idea," Heimlich says with bitterness that, three decades on, still seems fresh. "And then here comes this unknown guy in this field that they've been working their whole lives in, and not only does he discover this thing, but it's named after him."

From this point on, Heimlich decided to bypass the medical establishment and to take his maneuver directly to the public. He sold Heimlich maneuver posters and T-shirts (through a company he started with his son Phil) and made a slick film that featured choking actors being saved by his technique and a horror-movie-like score composed by his other son, Peter, a musician who performed in a band called "Choke." He barnstormed across the country, appearing on "The Tonight Show" and speaking to non-medical groups about the maneuver. In his dark suits and conservative ties, Heimlich looked the part of a somber doctor. But his presentations were anything but dull. He told stories of miraculous rescues and cracked risqué jokes while watching Johnny Carson demonstrate the maneuver on Angie Dickinson; his speeches often ended with a massive group hug as he asked everyone in the audience to practice the maneuver on the person sitting next to them. By the late '70s, a booking agency ranked Heimlich as one of the top ten public speakers in the United States. "The guy was a dynamo," says Trevor Hughes, an anesthesiologist who became an outspoken advocate of the maneuver. "It was like when you see a tornado cutting across the plains or you come up against a force of nature. ... His charisma was incredible."

Eventually, the Red Cross and the rest of the medical establishment seemed to realize it was fighting a losing battle. Although Heimlich still lacked much in the way of convincing laboratory studies, he had managed to create a set of facts on the ground. In 1985, Surgeon General C. Everett Koop proclaimed the Heimlich maneuver "the only method" that should be used to treat choking victims. The next year, when the American Heart Association, in conjunction with the Red Cross, published its "Standards and Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiac Care," it recommended the maneuver as the primary anti-choking treatment.

Heimlich had won—making himself a household name in the process—but he had also created a number of enemies. Thanks to Heimlich's constant criticism of the organization, enrollment in the Red Cross's first-aid classes dropped, and the organization had its lawyers explore the possibility of suing him for slander. The National Academy of Sciences also suffered indignities: Heimlich had declared backslaps "death blows" and accused the organization of engaging in a cover-up—a "medical Watergate," he called it. There were also the individual doctors with whom Heimlich had tangled—he even tried to initiate ethics proceedings against one doctor who opposed the maneuver.

Thirty years later, Heimlich knew that the campaign against him could have been the work of these old enemies. He told me he drew comfort from the words of the Belgian poet Maurice Maeterlinck, who wrote, "At every crossway on the road that leads to the future, each progressive spirit is opposed by a thousand men assigned to guard the past." He thought about the many—if not necessarily 1,000—men who had opposed him, and he tried to determine who would engage in such attacks today. He came up with a short list, which he conveyed to his lawyer, who in turn passed it on to the investigator. But the investigator soon determined that none of the suspects were involved. Still, there was some progress. Although Heimlich's tormentors had signed their attacks with fake names, employed multiple e-mail accounts and Web-hosting services from far-flung places (such as the Czech Republic), and used phone numbers that were registered under even more pseudonyms, the investigator made the startling discovery that the attacks could be traced back to the same ISP number. In other words, Dr. Bob Smith, David Ionescu, and Holly Martins were likely the same person. But if that person wasn't one of Heimlich's suspects, then who could it be?

*"Even after being made aware of potentially life-threatening risks associated with the Heimlich maneuver for drowning, did [Heimlich and a colleague] continue to encourage the public to test it on one another, putting at risk not only the victims but their rescuers? ... Was the Heimlich maneuver for drowning rescue nothing more than a scam?"—*FROM "CONCLUSION," BY "HOLLY MARTINS," HEIMLICHINSTITUTE.COM.

HEIMLICH HAD based his anti-choking maneuver on little science but much intuition. And, because his intuition had proved correct, his populist campaign on the maneuver's behalf appeared heroic. It was the act of an innovative—if maverick—doctor who wanted to save lives right away instead of waiting for the medical establishment to catch up and give his idea its seal of approval. In many ways, Heimlich's story—despite its rough edges—was inspirational. But that inspiration had a downside. What if Heimlich viewed his experience with the

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maneuver as a sign that he was uniquely equipped, perhaps even destined, to solve other, even more pressing medical problems? And what if Heimlich, convinced of his own rightness, started up his publicity machine in order to sell the public another medical treatment, but, this time, his intuition turned out to be incorrect?

In the early '80s, Heimlich, searching for an even grander lifesaving idea, became convinced there was another, wider-reaching use for his maneuver. In 1974, a surgeon named Victor Esch claimed he used Heimlich's anti-choking treatment to save the life of a man who had nearly drowned on a Delaware beach. "[W]ater gushed out of his mouth and he began breathing," Esch reported. In subsequent years, Heimlich received a handful of similar reports, and, in 1985, he argued that the maneuver should replace CPR at a joint American Heart Association–Red Cross meeting in Dallas, Texas.

As had been true nine years earlier at the National Academy of Sciences, Heimlich lacked any convincing scientific studies to support his claim, and he had even fewer anecdotal reports. There was also concern among drowning experts that the Heimlich maneuver was potentially dangerous, since it would delay resuscitation efforts and was likely to induce vomiting, which can lead to aspiration pneumonia. And yet, the four other members of the drowning panel agreed to add the maneuver to the drowning rescue protocols as a secondary treatment. Heimlich's public fight over choking seemed to play a role in their decision. "We were aware that there was controversy over the prior set of guidelines on choking," says Joe Ornato, the drowning panel's chairman and an emergency medicine doctor at the Medical College of Virginia. "I didn't want anyone to potentially not have his life saved if it turned out Dr. Heimlich's idea was correct."

But Heimlich was not mollified. He continued to agitate for the maneuver to replace CPR as the *primary* near-drowning treatment, and, eventually, the Institute of Medicine (IOM)—the nation's leading medical advisory group—agreed to give him a hearing. In 1993, Heimlich testified before an IOM committee. "[Heimlich] kind of impressed me as a guy who doesn't really know anything about research science," says Peter Rosen, who chaired the IOM committee and was then an emergency medicine doctor at the University of California at San Diego. "It was an old man telling tales." The IOM committee's subsequent report concluded that there was no good evidence to support the routine use of the Heimlich maneuver on drowning victims.

Just as he had done during his fight over choking, Heimlich decided to circumvent the medical establishment. In 1995, he appeared at a U.S. Lifesaving Association seminar and urged the assembled lifeguards to ignore the American Heart Association guidelines as an act of conscience, adding, "I think the Nuremberg trials told the story that no one can be excused for saying, 'I was ordered to do so or was taught to do so, to kill people.'" That same year, Jeff Ellis & Associates, the nation's largest private lifeguard company—which staffs many of the nation's major water parks and trains about 35,000 lifeguards annually—began teaching the maneuver as a first response. It continued to do so for the next five years, until a reporter for the water park industry trade magazine *Fun World* wrote a story documenting the questionable science behind Heimlich's crusade.

There is much speculation in the lifesaving community that Ellis's five-year embrace of the Heimlich maneuver compromised safety at the company's facilities, and there are rumors of rescues that went awry. An Ellis spokesperson refused to answer any questions about the company's experience with the maneuver. But James Orlowski, a pediatrician in Tampa, Florida, who has tracked the use of the Heimlich maneuver in drownings, says he knows of more than 30 cases (though not at Ellis pools) in which the use of the maneuver had "destructive" results—from stomach rupture to aspiration pneumonia to death. Orlowski says he knows of no instances where the maneuver saved a near-drowning victim.

Ellis's decision to drop the maneuver from its protocol was a severe blow to Heimlich. But he turned to his supporters for solace—none more so than his family. Although Heimlich still had many admirers among the general public, their regard for him could never approach the larger-than-life status in which his family held him. His eldest son Phil, who went from selling Heimlich maneuver T-shirts to a successful legal career to an eventual seat on the Cincinnati city council, credits his father for his decision to go into politics. "He really inspired me, because he used his abilities to have a real impact on society," he says. When Phil had his own son, he named him Henry. And, while Phil worked on the public stage to carry on his father's good name, Heimlich's younger son Peter toiled privately. Having left Cincinnati to live in San Francisco and then Portland, Oregon, Peter typically only saw his father when the doctor visited the West Coast—tagging along with him to "The Tonight Show." But Peter—who

Heimlich foists the maneuver on lifeguards; his son Peter and wife Karen, curators of the world's largest Henry Heimlich archive.

AP/TONY TRIBBLE (TOP); LYNNE CONGEMI

eventually put aside his musical ambitions to start a business with his wife importing fabrics from Asia—stayed close to his father in another way. For years, Henry would send Peter newspaper clips and medical journal articles about his latest accomplishments, and Peter would dutifully save every one—until he had assembled what may be the world's largest private archive devoted to the life and times of Henry Heimlich.

"[I]njecting malaria into people already sick with another disease, meanwhile denying them access to other AIDS *treatments, is reminiscent of the Tuskegee syphilis research atrocities. Yet, according to Heimlich, Chen, et al., denying other treatments to their Chinese research subjects was a* condition of participation *in their study."*–letter from "Dr. Bob Smith," October 2, 2002.

"I WANT TO TRULY teach you about malariatherapy," Heimlich said one day in the office at his condominium, as he motioned for me to move my chair closer to his. He had pulled several large black binders from his bookcase and had one of them sitting open across his lap. "Malariatherapy, I'll tell you, is very im-

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portant. … I think there's nothing more important that we can talk about."

Of all the battles Heimlich has waged, none has proven as controversial as malariatherapy—the practice of intentionally infecting a patient with malaria in order to treat another ailment. And yet, perhaps *because* of its controversial nature—to say nothing of its grandiosity—malariatherapy is the medical crusade most dear to him. Like all of Heimlich's endeavors, malariatherapy does have one foot in the realm of legitimate science. In 1917, the Austrian psychiatrist Julius Wagner von Jauregg proved that a malaria-induced fever would kill the syphilis micro-organism after testing the theory on patients. Malariatherapy soon became the standard treatment for neurosyphilis, and, in 1927, Wagner von Jauregg was awarded the Nobel Prize in medicine for his work. The discovery of penicillin in the 1940s, however, rendered malariatherapy obsolete, and it was eventually abandoned as a medical treatment. But, in the mid-'80s, Heimlich started campaigning to resurrect the practice—not as a treatment for neurosyphilis but as a means to fight other, more intractable, diseases.

His first target was cancer. Although he had no expertise in oncology, Heimlich's idea of treating cancer with malariatherapy was not immediately dismissed. The Centers for Disease Control (CDC) even invited him to Atlanta to discuss it. But the CDC was ultimately unwilling to supply Heimlich with malaria-infected blood, so he took his work across the border. In 1987, he persuaded doctors at the Mexican National Cancer Institute in Mexico City to begin treating five patients with malariatherapy. The results were not promising: Less than a year after their first inoculations, four of the patients had died.

But Heimlich was not so easily discouraged. If malariatherapy didn't work on cancer, he believed there were other afflictions that it might cure. In 1990, he published a letter in *The New England Journal of Medicine* suggesting malariatherapy as a treatment for Lyme disease. It wasn't long before "Lymeys" from as far away as Hungary were requesting the treatment from Heimlich. But, when a New Jersey woman who was one of his first Lyme patients later denounced Heimlich—"[I]f anybody ever asked me about Dr. Heimlich and his supposed cure," she said, "I wouldn't hesitate to tell them to run away fast"—the tightly knit Lyme community turned against malariatherapy.

Nothing, however, could shake Heimlich's faith. In fact, each time malariatherapy failed, his ambitions for it seemed to grow—so much so that, by the early '90s, he was touting it as a solution to arguably the world's most pressing medical problem: AIDS. Eminent immunology experts, such as the director of the National Institute for Allergy and Infectious Diseases, Anthony Fauci, dismissed Heimlich's idea as "quite dangerous and scientifically unsound." But Heimlich did not need their support. All he needed was money and a place to try out his idea. In Hollywood he found the former; and in China he found the latter. Using private donations from prominent members of the entertainment industry—including Amy Irving and Estelle Getty—Heimlich established a malariatherapy clinic for HIV patients in Guangzhao, China. There, beginning in 1994, a team of four Chinese doctors injected at least eight HIV patients with malarial blood; for each patient, the Heimlich Institute provided the doctors between $5,000 and $10,000 in funding.

In 1996, Heimlich went to the eleventh International Conference on AIDS in Vancouver and made a stunning announcement. He reported that the CD4 counts—which are depleted as HIV progresses to AIDS—in two of the Chinese HIV patients had increased after a course of malariatherapy and that the counts remained high two years later. Before the Vancouver conference, he had stopped in Portland to visit Peter, to whom he had touted his China study. "This will put us over," he told his son. But, when AIDS experts looked closely at Heimlich's results, they saw that the test the Chinese doctors had employed to measure CD4 levels was notoriously unreliable—rendering the data useless. After a falling out with the Chinese doctors, Heimlich began searching for other countries where he could do a clinical trial, but no one was interested.

Two years ago, Heimlich changed the name of malariatherapy. "People hear malaria and they shy away," he explained to me, "so we'll call it immunotherapy." Heimlich was seated in a large recliner, and, since he was working from home that day, he wore a plaid shirt and an old pair of blue bedroom slippers. For more than an hour, he flipped through the binders and read me portions of various medical studies that he said proved malariatherapy—as he still frequently called it—works. "So we're not without evidence," he said. But, when I later read the studies in their entirety, they showed no such thing; Heimlich was cherry-picking the passages that seemed to support his position. His method reminded me of something Peter Rosen, the emergency medicine doctor who clashed with him over drowning, had told me. "One of the differences between people who do science and people who don't is the people who do science realize that what you're trying to do in science is falsify a hypothesis," Rosen said. "And only after you examine all sorts of evidence and you can't falsify a hypothesis do you establish that the hypothesis is true. The people trying to *prove* a hypothesis look at any piece of positive evidence and then stop. Heimlich never understood that distinction."

As Heimlich droned on, he seemed more pathetic than dangerous—just an old man telling tales, one whose crackpot theories would, thankfully, never gain currency or be put into practice again. But then Heimlich opened his last binder, which was marked CONFIDENTIAL, and pulled out two sheets of paper. "Now I will tell you about the malariatherapy, or immunotherapy as we now call it, in Africa." He began to read from one of the sheets. "The Heimlich Institute has been collecting CD4 and viral load data on patients who are HIV-positive and have become infected with malaria. This data will provide support for the concept of using malariatherapy for treating HIV infection." The study involved the questionable practice of initially withholding treatment for malaria, so Heimlich would not tell me where in Africa this new malariatherapy trial was being done. "You never know how the politicians will react in these countries," he explained. But, according to a public health physician who has worked on AIDS in East Africa and has knowledge of Heimlich's latest project, the study site is in Ethiopia. An official with the Ethiopian Ministry of Health told me that the ministry is unaware of any malariatherapy work being conducted in the country and that, if it is, it is being done without proper notification and permission.

Still reading from the papers, Heimlich boasted about the study's early results. Six of the first seven HIV patients treated with malariatherapy, he claimed, had experienced decreases in their viral loads. Now he was eagerly anticipating results from the 42 other patients in the study. He seemed to have little doubt about what those results would be. "I've been right in just about everything I've done," Heimlich said. "And when it gets to something like this, I know."

"Evidence does exist which raises doubts about the assumption that Dr. Heimlich is the inventor [of the Heimlich maneuver]."—from "The Patrick Maneuver?" by "Holly Martins," heimlichinstitute.com.

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While the web of fake names, e-mail addresses, and phone numbers obscured the identity of Heimlich's tormentor, the content and tenor of the attacks began to provide clues about their author. There was something about the campaign—in its form and its ferocity, in its penchant to begin with provable facts before spinning off into questionable, even wild, assertions—that, in fact, seemed reminiscent of Heimlich's own work. In one last desperate attempt, Heimlich's investigator conducted a massive Internet search on the phone numbers, hoping to come up with a match. It was a digital fishing expedition, but the investigator got a bite. One of the phone numbers used by Heimlich's nemesis had also been used in an Internet classified ad for a 27-inch television and VCR. The seller was located in Portland, Oregon, and the company he owned was called Global Fabric. The seller identified himself as "Pete." The culprit, it turned out, was not one of Heimlich's old medical opponents. Rather, the person responsible for the "hate campaign" was his onetime greatest fan: his son, Peter.

Peter Heimlich is 53 years old. He is tall and thin like his father and has the same watchful eyes. When I went to meet him, he had moved from Portland and was living with his wife, Karen, in a gated community outside New Orleans. He invited me into his large house, which was filled with musical instruments, kitschy art, and reams of Heimlich-related material. Peter explained that, in late 2001, his relationship with his father, which had gradually grown more distant, effectively came to an end. Peter believed his father was not paying sufficient attention to what he cryptically describes as "medical problems" in his family, and, when he approached his father with his concerns, he felt he was ignored. It was then that Peter, along with Karen, began what he calls their "project"—an investigation into his father's career so far-reaching in its scope and so fevered in its conclusions that it has dominated their lives ever since.

"At the beginning, I'll be frank, I felt like I wanted to get back at my father," Peter said one afternoon, after he had spent the morning showing me the archive. "I was looking for a needle in a haystack, ... something I could just use against him." He began combing through the old newspaper articles and checking out medical journals from the library, searching for impropriety. It wasn't long before he thought he had found it. Indeed, Peter soon became convinced that the wrongdoing he had uncovered was so significant that his project became less a personal vendetta than an "ethical responsibility." He and Karen shuttered their fabric-importing company and devoted themselves to scrutinizing every chapter of Henry Heimlich's career. And, in the end, Peter concluded that *everything*—the esophagus operation, the maneuver, the drowning cases, even the youthful heroism at the train wreck—was a fraud. "I don't think my father invented anything," Peter said, "but his own mythology."

Peter Heimlich is a dogged and resourceful researcher. He has meticulously documented a number of instances of his father's less than honorable behavior, including his promotion of the Heimlich maneuver for drowning and his malariatherapy work. But some of the most damning accusations Peter has leveled against his father appear to be based on a combination of conjecture, leaps of logic, and assumptions of almost epic bad faith. I spent several months trying to confirm Peter's most explosive allegation—namely, that his father did not invent the maneuver but stole it from a colleague named Ed Patrick. But the tantalizing scraps of information that sparked Peter's suspicions ultimately led me nowhere, and I eventually concluded the claim was unfounded or, at the very least, unprovable. (Patrick, for his part, has stated that he and Heimlich "worked together to develop" the maneuver, but he refuses to substantiate that claim.)

Peter is nearly the same age his father was when he achieved greatness with the maneuver. And, in his own quest, Peter has appropriated many of the tactics favored by the man he seeks to destroy. At the beginning of his project, Peter tried to work through official channels—filing complaints against his father with several groups, including the Institute of Medicine, the National Academy of Sciences, and the Ohio Medical Board. When those groups failed to take action, he accused them of a cover-up and took his complaints to the press. Portraying himself as a real-life David doing battle with a Goliath-like "celebrity doctor," Peter has developed a small but loyal following among reporters, leading to a steady stream of news stories about his father's various (real and alleged) misdeeds. Last year, the Red Cross—without explanation—amended its First Aid guidelines, reinstituting backslaps as the primary choking treatment and relegating the Heimlich maneuver (or, as the organization now calls it, "abdominal thrusts") to secondary-treatment status. Peter boasts that these changes are at least partly because of him.

While he once waged his campaign in secret—using pseudonyms and talking to reporters only on the condition that he not be identified—he has now stepped out of the shadows. Indeed, Peter's project is no longer just about destroying what's left of his father's good name; it's also about making a name for himself. He believes that, in his project, he has found his true calling. "They're always saying you only use so much of your brain in life," he told me. "And I felt like here was something where I could put all my resources." On his website—which he changed from heimlichinstitute.com to medfraud.info, after the Heimlich Institute initiated legal action—he now lists himself, not "Holly Martins," as the proprietor. He hopes in the future to become a guru of sorts, perhaps even an inspiration, to other whistle-blowers—not only in medicine but also industry and government—helping them with their efforts to expose wrongdoing. And, most important, he and Karen are writing a book. It will be, he said, "the unauthorized biography" of Henry Heimlich and the "authorized autobiography" of Peter Heimlich.

On a cold winter night in Cincinnati in 2005, several hundred people gathered in a hotel ballroom for the *Cincinnati Business-Courier*'s annual Health Care Heroes awards banquet. Among the many honorees, the weekly business publication had selected Henry Heimlich as its "Lifetime Hero." The choice seemed uncontroversial enough—a relatively meaningless honor (the awards are a marketing event) bestowed upon the city's most famous doctor in the twilight of his life. But, of course, nothing with Heimlich is uncontroversial these days. And, when Peter Heimlich learned of the *Business-Courier*'s decision, about four weeks before the banquet, he besieged the paper with phone calls and faxes demanding the honor to his father be rescinded. The *Business-Courier* ultimately stood by its choice, but not without some awkwardness, publishing a defensive editorial a few days before the banquet that emphasized the award was being given to Heimlich solely for his anti-choking treatment.

The night before the awards ceremony, I met Heimlich in his condominium. My flight into Cincinnati had been delayed by snow, and it was already late in the evening when I arrived, but Heimlich ushered me into his living room and asked me to sit down. ***continued on page 37***

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DOING YOUR PART

A Good Citizen's Guide to Reducing Global Warming

EVERY SECOND COUNTS
in the fight against global warming.

By the time you have finished reading this sentence, nearly 10,000 pounds of carbon dioxide will have entered our Earth's atmosphere. Each passing second brings 1,000 more, and the numbers quickly add up. Approximately 75-80 million tons of global warming pollution enters our atmosphere every day. We have reached a critical moment that requires a comprehensive solution to this planetary emergency.

Congress has a responsibility to address the climate crisis, and legislation has been proposed to help reduce the amount of carbon we put into the atmosphere. Various industries, including several of the world's largest oil and gas companies, are rallying in support of carbon emissions caps and other greenhouse gas prevention measures. Governments and industries all over the world are working toward a solution — but ultimately, individuals will have a large role to play in addressing the climate crisis.

While we can't turn back the clock on global warming, we can work toward a solution that begins working immediately — and that's the beauty of it. The minute you update your desk lamp with a compact fluorescent bulb, you've already made a lasting, cost-saving difference. Every bottle or newspaper you recycle is an environmentally conscious action. Every trip you make in a more fuel-efficient vehicle is a victory for the cause.

Whether you're at home, on the road, or acting as part of a larger community, your everyday decisions create dramatic impacts on our common future. It's time to start making smarter choices, as individuals and as a global community, to curb our energy use and carbon output. But it's not enough to simply change our old habits — it's time to create new ones for a sustainable environment and a brighter future.

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AT HOME

Energy efficiency means cost savings. A few simple steps will keep your home warmer in the winter and your utility bill at bay during the dog days of summer — a win/win strategy to help protect our environment and put cash in your pocket.

A professional home audit is a great way to start and will help you determine the best way to consume energy more efficiently, but it's certainly not necessary to start being proactive today. Use the following tips to help reduce your impact on the environment at home. You can start right now:

- Replace a regular incandescent light bulb with a compact fluorescent light bulb (or CFL)

• CFLs use 60% less energy than a regular bulb. This simple switch will save about 300 pounds of carbon dioxide a year. If every family in the U.S. made the switch, we'd reduce carbon dioxide by more than 90 billion pounds! You can purchase CFLs online from the Energy Federation (www.energyfederation.org).

- Move your thermostat down 2° in winter and up 2° in summer

• Almost half of the energy we use in our homes goes to heating and cooling. You could save about 2,000 pounds of carbon dioxide a year with this simple adjustment. The American Council for an Energy Efficient Economy (www.aceee.org) has more tips for saving energy on heating and cooling.

- Clean or replace filters on your furnace and air conditioner

• Cleaning a dirty air filter can save 350 pounds of carbon dioxide a year.

- Install a programmable thermostat

• Programmable thermostats will automatically lower the heat or air conditioning at night and raise them again in the morning. They can save you $100 a year on your energy bill.

- Choose energy efficient appliances when making new purchases

• Look for the Energy Star (www.energystar.gov) label on new appliances to choose the most efficient models. If each household in the U.S. replaced its existing appliances with the most efficient models available, we'd eliminate 175 million tons of carbon dioxide emissions every year!

- Wrap your water heater in an insulation blanket

• You'll save 1,000 pounds of carbon dioxide a year with this simple action. You can save another 550 pounds per year by setting the thermostat no higher than 120 degrees Fahrenheit.

- Use less hot water

• It takes a lot of energy to heat water. You can use less hot water by installing a low flow showerhead (350 pounds of carbon dioxide saved per year) and washing your clothes in cold or warm water (500 pounds saved per year) instead of hot.

- Use a clothesline instead of a dryer whenever possible

• You can save 700 pounds of carbon dioxide when you air dry your clothes for 6 months out of the year.

- Turn off electronic devices you're not using

• Simply turning off your television, DVD player, stereo, and computer when you're not using them will save you thousands of pounds of carbon dioxide a year.

- Unplug electronics from the wall when you're not using them

• Even when turned off, things like hairdryers, cell phone chargers, and televisions use energy. In fact, the energy used to keep display clocks lit and memory chips working accounts for 5 percent of total domestic energy consumption and spews 18 million tons of carbon into the atmosphere every year!

- Only run your dishwasher when there's a full load and use the energy-saving setting

• You can save 100 pounds of carbon dioxide per year.

- Insulate and weatherize your home

• Properly insulating your walls and ceilings can save 25% of your home heating bill and 2,000 pounds of carbon dioxide a year. Caulking and weather-stripping can save another 1,700 pounds per year. The Consumer Federation of America (www.buyenergyefficient.org) has

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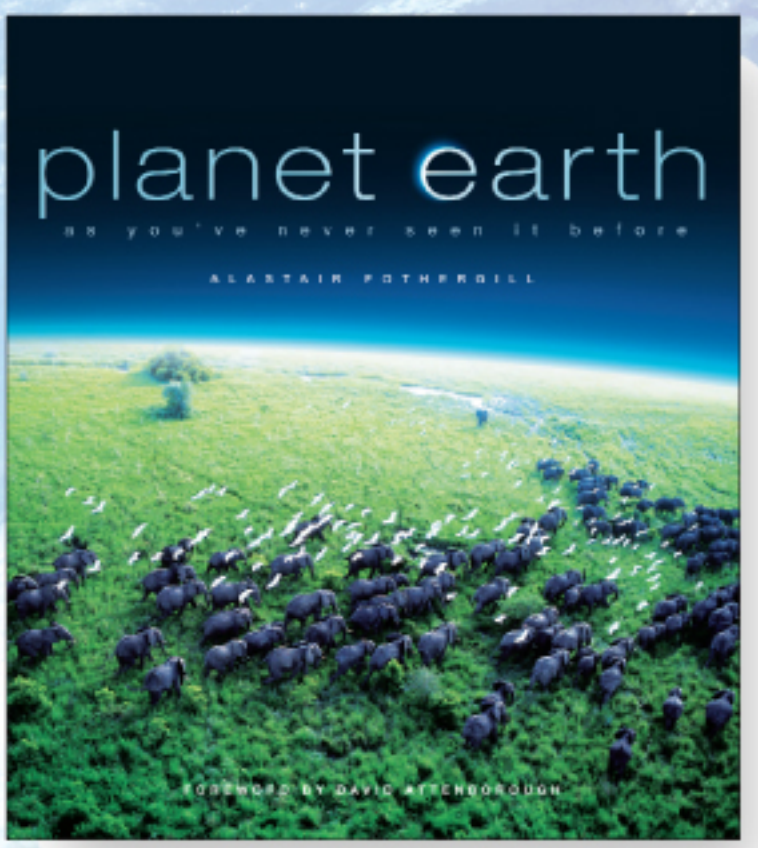

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BY ALASTAIR FOTHERGILL
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more information on how to better insulate your home.

- Be sure you're recycling at home

• You can save 2,400 pounds of carbon dioxide a year by recycling half of the waste your household generates. Earth 911 (www.earth911.org) can help you find recycling resources in your area.

- Buy recycled paper products

• It takes 70 to 90% less energy to make recycled paper and it prevents the loss of forests worldwide.

- Plant a tree

• A single tree will absorb one ton of carbon dioxide over its lifetime. Shade provided by trees can also reduce your air conditioning bill by 10 to 15%. The Arbor Day Foundation (www.arborday.org) has information on planting and provides trees you can plant with membership.

- Get a home energy audit

• Many utilities offer free home energy audits to find where your home is poorly insulated or energy inefficient. You can save up to 30% off your energy bill and 1,000 pounds of carbon dioxide a year. Energy Star (www.energystar.gov) can help you find an energy specialist.

- Switch to green power

• In many areas, you can switch to energy generated by clean, renewable sources such as wind and solar. The Green Power Network (www.eere.energy.gov/greenpower) is a good place to start to figure out what's available in your area.

- Buy locally grown and produced foods

• The average meal in the United States travels 1,200 miles from the farm to your plate. Buying locally will save fuel and keep money in your community.

- Buy fresh foods instead of frozen

• Frozen food uses 10 times more energy to produce.

- Seek out and support local farmers' markets

• They reduce the amount of energy required to grow and transport the food to you by one fifth. You can find a farmers' market in your area at the USDA website (www.ams.usda.gov/farmersmarkets/map.htm)

- Buy organic foods as much as possible

• Organic soils capture and store carbon dioxide at much higher levels than soils from conventional farms. If we grew all of our corn and soybeans organically, we'd remove 580 billion pounds of carbon dioxide from the atmosphere!

- Avoid heavily packaged products

• You can save 1,200 pounds of carbon dioxide if you cut down your garbage by 10%.

- Eat less meat

• Methane is the second most significant greenhouse gas and cows are one of the greatest methane emitters. Their grassy diet and multiple stomachs cause them to produce methane, which they exhale with every breath.

ON THE MOVE

Almost one third of the carbon dioxide produced in the United States comes from our cars, trucks, and airplanes. Here are some simple, practical things you can do to reduce the amount of carbon dioxide you produce while on the move:

- Reduce the number of miles you drive by walking, biking, carpooling, or taking mass transit wherever possible

• Avoiding just 10 miles of driving every week would eliminate about 500 pounds of carbon dioxide emissions a year! Visit the American Public Transportation Association (www.apta.com) to find transit options in your area.

- Start a carpool with your coworkers or classmates

• Sharing a ride with someone just 2 days a week will reduce your carbon dioxide emissions by 1,590 pounds a year. eRideShare.com (www.erideshare.com) runs a free national service connecting commuters and travelers.

- Keep your car tuned up

• Regular maintenance helps improve fuel efficiency and reduces emissions. When just 1% of car owners properly maintain their cars, nearly a billion pounds of carbon dioxide are kept out of the atmosphere.

- Check your tires weekly to make sure they're properly inflated

• Proper inflation can improve gas mileage by more than 3%. Since every gallon of gasoline saved keeps 20 pounds of carbon dioxide out of the atmosphere, every increase in fuel efficiency makes a difference!

- When it is time for a new car, choose a more fuel efficient vehicle

• You can save 3,000 pounds of carbon dioxide every year if your new car gets only 3 miles per gallon more than your current one. You can get up to 60 miles per gallon

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It's only fitting that our first U.S.-built hybrid should come from a place so green.

The new Camry Hybrid – as good for the economy as it is for the environment. Toyota is already known for being the world's leading hybrid producer, but not everyone knows what our hybrids will do for the U.S. economy. That's about to change. Our new Camry Hybrid is now being built here in the U.S.

The place? Georgetown, Kentucky, where 48,000 Camry Hybrids are planned for the first year of production. It's all part of our commitment to America, the air you breathe, the communities where you work and live, and to the future we want to build together. And that's good for everyone.

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Plants	10
Total Jobs	386,000**
Investment	$15B

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New energy solutions require new schools of thought.

Research BP is joining with the University of California, Berkeley, the University of Illinois at Urbana-Champaign and the Lawrence Berkeley National Laboratory to establish the Energy Biosciences Institute.

Investment BP will invest $500 million over the next ten years in the Institute, which will explore the emerging secrets of bioscience and apply them to finding new sources of clean and renewable energy.
It's a start.

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with a hybrid! You can find information on fuel efficiency at www.fueleconomy.gov and www.greencars.com.

- Try car sharing

• Need a car but don't want to buy one? Community car sharing organizations provide access to a car and your membership fee covers gas, maintenance, and insurance. Many companies — such as Flexcar (www.flexcar.com) – offer low emission or hybrid cars too! Also, see ZipCar (www.zipcar.com).

- Try telecommuting from home

• Telecommuting can help you drastically reduce the number of miles you drive every week. For more information, check out the Telework Coalition (www.telcoa.org).

- Fly less

• Air travel produces large amounts of emissions so reducing how much you fly by even one or two trips a year can reduce your emissions significantly. You can also offset your air travel by investing in renewable energy projects. Check out www.nativeenergy.com to learn more about carbon offsets.

IN THE COMMUNITY

Your actions to reduce global warming can extend beyond how you personally reduce your own emissions. We all have influence on our schools, workplaces, businesses, and on society through how we make purchases, invest, and take action. Here are some ways you can have a positive effect on global warming.

- Encourage your school or business to reduce emissions

• You can extend your positive influence on global warming well beyond your home by actively encouraging others to take action. Download our toolkits for schools and businesses to take action outside of your home.

- Join the virtual march

• The Stop Global Warming Virtual March is a non-political effort to bring all Americans concerned about global warming together in one place. Add your voice to the hundreds of thousands of other Americans urging action on this issue at www.stopglobalwarming.org.

- Encourage the switch to renewable energy

• Successfully combating global warming requires a national transition to renewable energy sources such as solar, wind, and biomass. These technologies are ready to be deployed more widely but there are regulatory barriers impeding them. Take action to break down those barriers with Vote Solar (www.votesolar.org).

- Protect and conserve forests worldwide

• Forests play a critical role in global warming: they store carbon. When forests are burned or cut down, their stored carbon is release into the atmosphere — deforestation now accounts for about 20% of carbon dioxide emissions each year. Conservation International (www.conservation.org) has more information on forests and global warming.

- Consider the impact of your investments

• If you invest your money, you should consider the impact that your investments and savings will have on global warming. You can learn more about how to ensure your money is being invested in companies, products, and projects that address issues related to climate change at www.socialinvest.org and www.ceres.org.

- Make your city cool

• Cities and states around the country have taken action to stop global warming by passing innovative transportation and energy saving legislation. 194 cities nationwide representing over 40 million people have made this pledge as part of the U.S. Mayors Climate Protection Agreement. Find out how to make your city a cool city (www.coolcities.us).

- Make sure your voice is heard!

• We must have a stronger commitment from our government in order to stop global warming and implement solutions and such a commitment won't come without a dramatic increase in citizen lobbying for new laws with teeth. Get the facts about U.S. politicians and candidates at Project Vote Smart (www.vote-smart.org) and The League of Conservation Voters (www.lcv.org/scorecard). Make sure your voice is heard by voting!

It's up to each one of us to play our part in the global warming solution. Visit The Climate Project for a wealth of information about global warming and solutions to help reduce your carbon output at

www.theclimateproject.org.

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He clearly wanted to talk. It had been a trying period for Heimlich. A few months earlier, Peter had managed to persuade the organizers of the Pan-Africa AIDS Conference, which Heimlich had addressed several times in the past, to disinvite him as a speaker; and a growing number of other doctors, egged on by Peter, had recently denounced him. "He's very clever," Heimlich said of his son, his voice mixed with both sorrow and a strange sort of admiration. "He always was. And that's part of the hurt. He has such talent." He added, "This has been the most painful part of my life."

But the more marginalized and embattled Heimlich was, the more defiant he became. Leaning forward in his chair, he launched into a diatribe against his critics. "I call these people medical assassins," Heimlich said. "They're nobodies, they've done nothing, and they want to get their names known, so they attack a person who is famous." It wasn't long before he was offering disquisitions on the Heimlich maneuver for drowning and malariatherapy. He stood up and began to pace the room. "I understand this struggle," he said, stopping and looking me hard in the eyes. "I've been having it for too long. And invariably I've succeeded, invariably I've succeeded."

The next night at the awards banquet, Heimlich seemed serene as he sat at a table with his wife, Jane, and his son Phil—who, earlier that day, had told me that he fully supported his father and that his brother's behavior was "inappropriate and abusive." Heimlich laughed and talked with his tablemates throughout the meal. And, when it came time to deliver his acceptance speech, he kept it light and brief, mostly thanking Cincinnatians for taking him into theirs arms and supporting his endeavors. "[S]aving lives," he concluded, almost wistfully, "is still a worthwhile thing to do." After his speech, the ballroom began to empty, but a small crowd of people eagerly gathered around Heimlich. Pressing close to him, they told of relatives and friends who had been saved from choking by the maneuver. Then a woman stepped forward, and Heimlich stuck out his hand. But she brushed past it, opening her arms and embracing him. Heimlich smiled and wrapped his arms around her. "Thank you," he said, gladly accepting her gratitude. For one night, at least, it seemed to be enough. ◆

A Unified Theory of Scandal

The real roots of the U.S. attorney firings.

JEFFREY ROSEN

THE IDEOLOGICAL roots of the Justice Department scandal aren't buried in Karl Rove's office. They reside in a less likely place: the pages of *The Harvard Law Review*. More precisely, this scandal traces back to a 1992 article co-written by a founder of the Federalist Society, Steven Calabresi. A few years earlier, Calabresi had served as a special assistant to Ronald Reagan's attorney general, Ed Meese. During his time in government, Calabresi shared the Reaganite revulsion with the power wielded by EPA bureaucrats, Justice Department lawyers, and other obstreperous paper-pushers who populated the administrative state. These career denizens of government righteously trumpeted their commitment to objective analysis and the neutral application of the law. But these claims, conservatives argued, were merely guises for a liberal political agenda.

In his *Harvard Law* essay, Calabresi added an important new twist to this old critique. The power invested in the career bureaucrats wasn't just annoying: It was a constitutional impediment to the president's ability to control the executive branch. Accordingly, he proposed a constitutional justification for extending the president's political control over the entire bureaucracy, for making those bureaucrats submit to his will. He described his approach as the theory of the "unitary executive."

Calabresi's original formulation was not inherently radical or partisan. Indeed, Elena Kagan, a former Clinton administration official who is now the dean of Harvard Law School, wrote an influential article echoing Calabresi's call for presidential control over unelected bureaucrats. But, in her iteration of the argument—not to mention the actual practice of the Clinton administration and its Republican predecessors—there was the acknowledgment of a competing theory of governance, which dated back to the New Deal. This competing theory recognized a need to maintain some political independence for administrative and Cabinet agencies in order to protect detached expertise and neutral decision-making. Those paper-pushers may have resisted democratic accountability, but they were also important fonts of wonkish wisdom. According to Samuel Issacharoff of NYU Law School, "The best reading of the American political and legal tradition is that we want both of these visions at the same time, although, clearly, they are in tension with each other."

The George W. Bush administration, however, has turned the unitary executive theory in a new, dangerous direction. In foreign affairs, officials like John Yoo in the Office of Legal Counsel and David Addington, Vice President Cheney's chief of staff, used it to justify the radical claim that the president can ignore (or at least reinterpret) laws that infringe on his constitutional power as commander-in-chief. And, in domestic affairs, Bush tried to extend his political control over policy decisions far deeper into the Cabinet and administrative agencies than previous presidents had thought appropriate. He effectively declared war on the career officials in State and Justice, viewing them as untrustworthy. "Previous presidents had divided administrative power between the expert career people at the lower levels and the political appointees at the top, and the Bush administration tried to break this line down," says Issacharoff. "It became virtually impossible to be hired as a staff attorney at the Justice Department if you didn't have the proper Republican Party pedigree, and I saw students vetted for their political loyalty even when applying for career jobs much lower down the rung."

It should hardly be a surprise, therefore, that D. Kyle Sampson, former chief of staff to Attorney General Alberto Gonzales, e-mailed the Office of the White House Counsel calling for professional prosecutors to be replaced with "loyal Bushies." This was not just cronyism or a crude power grab, but the culmination of an ideological vision of unitary executive power that suffused the highest levels of the Justice Department and the White House counsel's office. "If indeed President Bush is doing something new and more aggressive than other presidents in terms of asserting control throughout the Justice Department, which I doubt," says Jack Goldsmith, former head of Bush's Office of Legal Counsel, "it's related to his vision of executive power."

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In the enforcement of law, where are the places where politics doesn't belong? That's really the heart of this scandal, and the precedents set in the following months could hold for generations. Appearing before the Senate on March 29, Sampson hazarded an answer to this key question. He tried to distinguish proper and improper reasons for firing prosecutors: *Policy* disagreements were legitimate grounds for removal, he said, but it would be wrong for the president to try to influence a particular investigation for *partisan* ends. This attempt to define the category of improper rationale makes sense, as far as it goes. But Sampson went on to define policy disagreements very broadly, insisting that "the distinction between political and performance-related reasons for removing a United States attorney is, in my view, largely artificial." Sampson concluded, "A U.S. attorney who is unsuccessful from a political perspective ... is unsuccessful." By "loyal Bushies," Sampson told the Senate, he meant nothing more than loyalty to Bush's "policies and the priorities [he] had laid out." In declaring war on the distinction between political and policy disagreements, however, Sampson, Gonzales, and Bush came close to the line of firing prosecutors for impermissibly partisan reasons.

Did Gonzales and Bush actually cross that line? To answer that question, it helps to examine historical antecedents. The most infamous example of an attempt by a president to twist executive power for partisan ends was Watergate. In the White House tape that brought him down, Richard Nixon was heard telling H.R. Haldeman to instruct the FBI and CIA to stop the investigation into the hush funds set aside for the Watergate burglars. "That was the major item that broke Nixon's back," recalls Leonard Garment, who served as Nixon's White House counsel. "The agencies of the executive branch are not supposed to be personal weapons for the political use of the president."

In his testimony, Sampson confessed that, in a moment of Nixonian enthusiasm, he had impulsively suggested that White House Counsel Harriet Miers fire Patrick Fitzgerald in the middle of his investigation of the Valerie Plame leak. But this was so clearly beyond the pale that Sampson said he immediately regretted the suggestion, and Miers ignored it. Therefore, the most serious allegations against the Bush administration relate to the firings of Carol Lam in San Diego and David Iglesias in New Mexico. Let's consider each in turn.

Carol Lam was the U.S. attorney in San Diego, and the Senate wants to know whether she was fired because she was "hot on the trail," as Arlen Specter put it, of powerful Republicans alleged to have collaborated with former Representative Randy "Duke" Cunningham, who resigned from Congress in 2005 after pleading guilty to accepting more than $2 million in bribes from defense contractors. On May 10, 2006, Lam notified the Department of Justice that she was planning to seek search warrants for the home and CIA office of Kyle "Dusty" Foggo, who had resigned two days earlier as the number-three official at the agency under a cloud of Cunningham-related suspicion. The following day, Sampson sent an e-mail to the White House: "The real problem we have right now with Carol Lam ... leads me to conclude that we should have someone ready to be nominated on 11/18, the day her 4-year term expires."

The Nixonian explanation of this e-mail is that Sampson was trying to obstruct Lam's investigation into an ally of the president because he feared that the corruption inquiry might hurt the White House. Sampson insists that he never knew about the search warrants and that the "real problem" he was referring to was Lam's less-than-enthusiastic prosecution of immigration offenses. Given the fact that Lam was commended for her immigration enforcement by the director of field operations for the San Diego office of U.S. Customs and Border Protection, this seems questionable. The administration's defenders also counter that Lam's firing was never intended to stifle the Foggo investigation. Foggo was, after all, indicted two days before Lam left office. Gonzales must have known that the investigation and prosecution of Foggo would continue regardless of who supervised the office, as indeed it has.

Choosing between the Nixonian and more charitable explanations turns on elusive questions of motives. If Gonzales fired Lam because he thought she wasn't a "team player," not because he was trying to shut down the Foggo investigation, the firing would be questionable but certainly not criminal. If he fired her to get her off the trail of powerful Republicans—like defense contractor Brent Wilkes, a friend of the vice president who was indicted with Foggo—it would be an impermissible attempt to influence the investigation for partisan advantage. Congress will need more facts to decide whether Gonzales crossed the line, but it already seems clear that he came close.

Now consider the firing of David Iglesias, whom Sampson alleges was insufficiently enthusiastic in his prosecution of alleged voter fraud committed by New Mexico Democrats. In voter fraud cases, it's even harder to distinguish between partisan politics and policy, because elections obviously have partisan consequences. Broadly speaking, as Issacharoff explains, "there is an undisguised political battle in this country about the right to vote." Democrats believe that voter intimidation is keeping many potential voters from voting. Republicans believe that Democrats are engaged in widespread countenance of voter fraud—

FROM LEFT: U.S. DEPT. OF JUSTICE/UPI NEWSPICTURES/NEWSCOM (SAMPSON); BILL GREENBLATT/UPI NEWSPICTURES/NEWSCOM (GONZALES); ROGER L. WOLLENBERG/UPI NEWSPICTURES/NEWSCOM (MIERS); NANCY KASZERMAN/NEWSCOM (ROVE); SIPA/NEWSCOM (NIXON); NO CREDIT

Lou Beach

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encouraging improperly registered voters to cast ballots. Fortunately, there is little empirical evidence for either proposition. The most contested elections in recent U.S. history, including the mayoral election in Miami a decade ago, involve systematic attempts to destroy absentee ballots or to forge ballots after the election, not an attempt to encourage or prevent individual voters from casting votes before the election to affect the result. There appear to be very few instances, in other words, where voter fraud is pervasive enough to change the results of an election either way.

Nevertheless, in the controversy that led to the firing of Iglesias, House and Senate Republicans from New Mexico seem to have tried to influence the outcome of an election. As Iglesias recounted in a recent *New York Times* oped, he received phone calls just before the November 2006 elections from Representative Heather Wilson and Senator Pete Domenici. Both asked whether he was planning to bring corruption charges against local Democrats before the election, and, when he said no, Domenici responded, "I'm very sorry to hear that." Soon after Wilson's call, Iglesias's name was added to Sampson's list of U.S. attorneys who were asked to resign. Iglesias convincingly argues that he took voter fraud allegations seriously. But, after he reviewed 100 allegations of voter fraud, he concluded that only one case warranted federal prosecution. Iglesias believes he was fired for not bringing charges in a case he considered without merit—that he was, in other words, "fired for not being political."

It's possible, in theory, to imagine a benign explanation for Iglesias's sacking. It would be fine for the attorney general to announce a general policy that all U.S. attorneys should vigorously prosecute voter fraud and then fire those who fail to bring prosecutions. As Jack Goldsmith told me, "The president can set the priority of demanding more voter fraud cases, appoint prosecutors he thinks will further his goals, and fire prosecutors who aren't pursuing his policies." The analogy here is to the Kennedy Justice Department in the 1960s: Robert Kennedy was free to fire recalcitrant Southern prosecutors who refused to bring civil rights prosecutions, even though he knew those prosecutions might indirectly help the Democratic Party among black voters. But there's a clear difference between insisting that prosecutors intervene in broad categories of cases and meddling in a particular case because you're trying to obtain partisan results. As Goldsmith acknowledges, "He can't press a prosecutor in a particular voter fraud case to intervene in order to influence the electoral result."

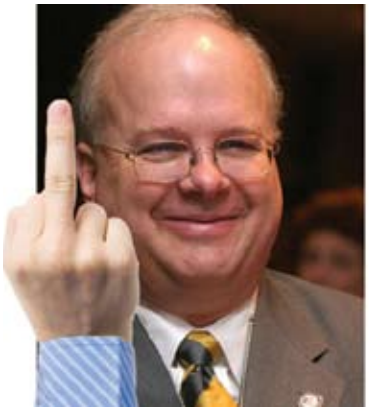
In this case, it seems likely that Iglesias was fired for not bringing dubious charges of voter fraud on the eve of an election. According to Issacharoff, "Voter fraud generally takes place on Election Day, and prosecutions tend to happen after the election took place. What was odd about this was the demand that Iglesias bring charges on the eve of an election. It was part of an electoral strategy, not a criminal justice strategy, and it rises to the level of trying to use the prosecution power for partisan advantage. It's a no-holds-barred effort to enlist every part of the federal government in an effort to reelect Republican candidates."

If this was indeed the administration's goal, it certainly crosses the line into impermissible partisanship. There are many federal laws, dating back to the Progressive era, that make it illegal to use the power of the federal government to affect the outcome of elections—from the Hatch Act to the Pendleton Act.

Deciding whether the administration crossed the line in the voter fraud cases turns, once again, on elusive questions of motive. But these questions arise in the first place only because of the unitary executive theory that led the White House to blur the line between political and policy disagreements. By insisting that there is no distinction, as Sampson said, between "political and performance-related reasons" for firing a prosecutor, by demanding not only broad agreement with the president's policy goals but personal loyalty to his political agenda, Gonzales made it inevitable that voter fraud prosecutions would run the risk of being used as partisan weapons.

What should happen next? Some prominent Democrats have called for the appointment of a special prosecutor to investigate, but that would be a terrible idea. Even if administration officials did twist the prosecution power for partisan ends, it's hardly clear that they broke the narrow criminal laws regulating obstruction of justice. (Lying to Congress is another matter.) Special prosecutors, from Kenneth Starr to Patrick Fitzgerald, have been disasters when it comes to investigations that originate from violations of political norms, not criminal laws. Because there's no provable underlying crime, they always end up prosecuting the cover-up. Instead, Congress is doing the right thing by holding Gonzales and his aides accountable politically and should continue to hold hearings to determine precisely what happened.

The disrepute Gonzales has inflicted on the Justice Department stems from a heavy-handed embrace of the theory of the unitary executive. It was the failure to imagine the possibility that Republicans might not eternally hold all three branches of government that proved to be the undoing of Gonzales and his aides. The ease with which they extended their political control deep into the executive branch convinced them that it was politically wise to do so. Now it's up to congressional Democrats to show them why they were wrong. ◆



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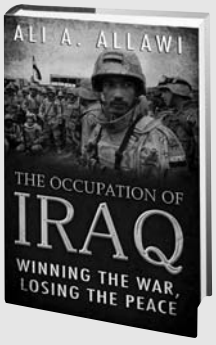
THE OCCUPATION OF IRAQ

Winning the War, Losing the Peace

Ali A. Allawi



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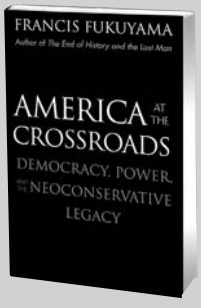

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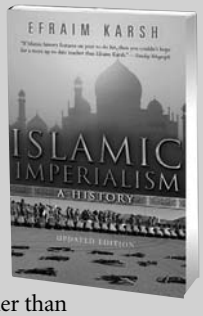

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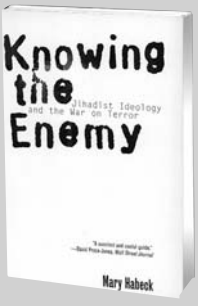

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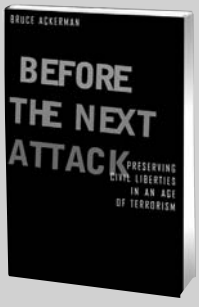

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Stanley Kauffmann on Films

THE PAST PERSISTS

Alain Resnais's career has been long, fertile, and a bit sad. His first feature, *Hiroshima mon amour* (1959), caused a worldwide critical stir, and his second, *Last Year at Marienbad* (1961), heightened it. (One French critic, his name happily forgotten, said that anyone who didn't consider *Marienbad* the greatest film ever made had no right to be a critic.) Resnais has since made more than fourteen films, and now, at age eighty-four, he presents a new one.

At the start, his work involved prominent writers of the day. His first three films were written (respectively) by Marguerite Duras, Alain Robbe-Grillet, and Jean Cayrol, and although Resnais was never a member of the New Wave, he was considered one of the postwar filmmakers who were re-establishing French film in the aesthetic vanguard. Besides playing with time and traditional narrative, some of his films, such as *La Guerre est finie*, were politically courageous. Moreover, his work helped to realize the stature of some leading actors: Yves Montand in *La Guerre*, Jean-Paul Belmondo in *Stavisky*.

Despite all this and much more, Resnais is now rarely considered a major figure in French film. When his name comes up, he is always called masterly, but—other than the hardly minor fact that his work is dexterously made—it isn't easy to define his mastery. What happened to the director whose pictures were once said to be changing the film art? In *Republic of Images*, Alan Williams writes that "as [Resnais's] career progressed, he clearly decided to moderate his taste for the formal experiments of avant-garde literature, in order to continue to interest audiences in his works." But this silky arraignment of Resnais as a sell-out is insufficient. No Resnais film that I have seen has struck me as a sell-out. At their direst, Resnais's films have seemed the work of an avant-gardist who, like avant-gardists in other arts, has exhausted his innovations and is needy.

TOMASZ WALENTA

His new picture, *Private Fears in Public Places*, isn't even quite that poignant. The screenplay by Jean-Michel Ribes, set in Paris, is based on a play by the mid-tier English playwright Alan Ayckbourn (a choice that is a gentle index of intent). From its opening we feel ourselves relaxing with almost disappointing ease. A trustworthy driver is at the wheel, but he is not taking us anyplace new.

An immediate trouble is the décor. Jacques Saulnier, who heads the design team here, has been the art director for many of Resnais's films. Thus, early in his career, Resnais found a designer who could bring into being the look of a film he had envisioned. And Saulnier, alas, seems to be filling that function again here. What first impresses about *Private Fears* is the look—a cocktail lounge, a hotel restaurant, a real estate office. They are all somewhat self-consciously *moderne*. They tell us that we are amid people who want to be a bit ahead of the up-to-date. The settings thus hint something about obediently chic standards.

It is winter; sequences are separated by views of snowfall, as if heaven were providing a curtain from time to time. The contrast between designed surface and inevitable nature can be seen, with a little generosity, to represent the torque of the screenplay.

This is one of those films that tell several independent stories with no immediate connection, and we watch connections emerge. A soldier who has been dishonorably discharged and his wearying girlfriend; a real estate agent with an uptight sister; the agent's secretary, who seems oppressively religious; a suave bartender with a vicious bedridden father—all are presented more or less as the world sees them, and then we discover secrets in each that link several of them. The private fears become manifest in places that are more public than was presumably wanted.

PRIVATE FEARS IN PUBLIC PLACES
IFC First Take

COBRA VERDE
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AFTER THE WEDDING
IFC Films

Experienced hands could manufacture such screenplays by the carload. Yet the picture is so suavely made that we don't feel disappointed until it is over: what chiefly holds us is the quality of the acting. All of the relatively small cast move through their lives like figures in a well-crafted design, but they discover the design only at about the same time as we do ourselves. Pleasant though that design may be, we are left at the end with a question. Why was it worthwhile? Eighty-four or not, what happened to the irruptive, exploratory Alain Resnais?

Cobra Verde is another reminder of the past—in fact, it is part of the past. It was made by Werner Herzog in 1987 and stars Klaus Kinski, who died in 1991. Herzog and Kinski together made two of the most startling works of the so-called New German Cinema, *Fitzcarraldo* and *Aguirre. Cobra Verde*, the third part of this Latin Amer-

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ican set, is only now being released here. Director and star did other memorable work together, notably *Nosferatu the Vampyre* and *Woyzeck*, but those three Latin American pictures are the Herzog-Kinski signet.

"Cobra Verde" is the sobriquet for a Brazilian outlaw in the nineteenth century (the story is adapted from Bruce Chatwin) whom the government brings under control by hiring him. He is engaged to go to Africa to buy slaves, and most of the action takes place there. From the opening moments, in which a Brazilian balladeer scratches his fiddle while he speak-sings a prologue, followed by an intense close-up of Kinski's expectedly frightening face and then a vista of drought-baked landscape littered with dead and dying animals, we are with a director who seems to be disruptively hurling his vision onto the screen, silently gleeful at our submission.

It is too weak to say that Herzog disregards conventions of narrative structure and editing: he is there to punish us for attending his film and to make us enjoy it. Other directors have at times made masochists of us: Herzog excels at this, and he doesn't often do it more stunningly than in *Cobra Verde*. Scenes in which an African mill hand whose arm is caught in a machine is disregarded by the boss, or in which hundreds of topless native women gather like black Amazons for battle and are treated only as incidentals, are Herzog in extremis.

If Kinski wasn't certifiably mad, he was a better actor than the mere eccentric he is often considered to be. There are numerous instances in film history in which the leading actor was the director's vicar (for instance, Jean-Pierre Léaud for Truffaut). But the Kinski-Herzog teaming sometimes seems black magic: we suspect that Herzog has assumed Kinskian form.

Oddly, for all the fury, there is something touching about *Cobra Verde*. The context for the picture is gone. The New German Cinema flourished in the 1970s and 1980s when Herzog and Wim Wenders and R.W. Fassbinder and others were flooding us with stimulating new work (seemingly) month by month. The era, like all such eras, passed: Fassbinder died, the others have faded. Herzog has kept working, but now, as in *Grizzly Man*, he seems to be laboring to remind us that he was once a troublemaker. A woeful fate that an old piece of true Herzog now has a scent of lavender.

Denmark has long since earned membership in the World-Class Cinematography Club, and *After the Wedding* certifies it. Top-rank work is now so usual in world film that it is almost gross to mention it, like noting that your friend's shoes match. Morten Søborg's camera here is so lucid that it almost seems to be producing the light that it captures.

A Danish film, yes, but it begins in Bombay, with dialogue in English. Jacob, a Dane of about forty, works in an orphanage there and is devoted to the children, who return the feeling. Jacob has a special paternal link with a boy named Pradom, whom he assures that, though he must make a trip to Copenhagen to secure financing for the orphanage, he will return. So, of course, we know there will be bumps.

But we could not possibly guess what the bumps will be in this story by the director, Susanne Bier, and Anders Thomas Jensen. Back in Copenhagen, Jacob is received cordially by the billionaire Jørgen, who will consider making a donation to the orphanage and meanwhile invites Jacob to his daughter's wedding. At the reception, Jacob discovers that Jørgen's wife, Helene, is his lover of twenty years ago, and that the bride is in fact Jacob's daughter. Jørgen has brought the girl up as his own child and has been anticipating this encounter. To put it as tersely as possible, complications follow.

But there is danger in some plot complications. Up to this point, the picture has been smooth and digestible—like Resnais's film, a comfortably unfolding story. Then comes the paternity surprise. Unlike the Resnais picture, we are left without response. Most plays and films are about situations and conflicts that we have shared or can imagine sharing, but it is possible for writers to devise complications that are more clever than relevant. We don't need to have a murderous uncle to respond to *Hamlet*; correspondences exist within us. But the number of us who attend a wedding and find that the bride is our previously unknown child is presumably limited. How can we respond? We watch this film like a puzzle being unraveled, rather than as a shared experience.

Bier directs with a sense of motion, pleasant without pushing. Mads Mikkelsen, who plays Jacob, is an actor who absolutely belongs on the screen, a gentler sort of Jack Palance. ◈

Fouad Ajami
BLIND LIBERATION

THE OCCUPATION OF IRAQ: WINNING THE WAR, LOSING THE PEACE
By Ali A. Allawi
(Yale University Press, 518 pp., $28)

I.

Say what you will about the American experience in Vietnam, that war was well written. *A Bright Shining Lie* by Neil Sheehan had a character who could have stepped out of the pages of Graham Greene. John Paul Vann was an even more arresting figure than Alden Pyle in *The Quiet American*. "The odds, he said, did not apply to him," Sheehan wrote of the unforgettable man who embodied the war's hubris and the war's undoing. Michael Herr's *Dispatches* became a cult book—it described the hallucinatory war, the first rock-and-roll war—and therefore suffered the fate of cult books, but there can be no denying its magic and power. Frances FitzGerald, in *Fire in the Lake*, attempted (even if in places she failed) to give Vietnamese culture the respectful, close reading it deserved: what interested her about our war was not merely that it was ours. She wrote about our Other. And we do not need to guess what the men of the New Frontier who waged that war were really up to, thanks to David Halberstam's lasting portrait of "the best and the brightest":

> He was Bob, Bob McNamara, taut, controlled, driving—climbing mountains, harnessing generals—the hair slicked down in a way that made him look like a Grant Wood subject. The look was part of the drive: a fat McNamara was as hard to imagine as an uncertain one. The glasses straight and rimless, imposing; you looked at the glasses and kept your distance. He was a man of force, moving, pushing, getting things done, *Bob got things done*, the can-do man in the can-do society, in the can-do era.

Fouad Ajami teaches at the Johns Hopkins University School of Advanced International Studies and is the author, most recently, of The Foreigner's Gift: The Americans, the Arabs, and the Iraqis in Iraq *(Free Press).*

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So in this way, too, pity our venture into Iraq: its literary yield has so far been a literary desert. No doubt this land in Araby where we have planted our truth, and our armor, is a truly arcane and forbidding place; but still the poverty of the literature of this new American expedition begs for an explanation. In the books about the war, it became the norm to decry the faults of the American viceroy, Paul Bremer, and to note that the man, a gourmand with diplomatic assignments in Norway and Holland behind him, a man who marked time in Iraq but pined for his retreat in Vermont, could not find his way into the recesses of the Iraqi culture. True enough about the American, but what about *Iraq*? The military correspondent Thomas Ricks had a success with his book about the "fiasco" of the American military campaign, but no Iraqis walk out of his pages. This was not a man who had "embedded" himself with the people of the Anbar. A vast, mighty expedition had been called up in a hurry; and if our diplomats and soldiers had not been readied for it, neither had our pundits and reporters. (Yes, there were a few exceptions.)

You go to war with the press you have. This was certainly not war in the Jimi Hendrix era. Iraq was lethal, and no outsider could get around. The women, available everywhere in Vietnam, were off-limits here. There would be no romance, no high war writing. Instead it was all alien and remote. In these books, Iraq is hunkered down and hidden, its people and ways and language inaccessible to the writer-adventurers. (France had left its language behind in Vietnam, which provided Western writers with a kind of entry into the culture.) In Iraq the outsiders were on their own, captives of the Green Zone, of the "minders" and the interpreters.

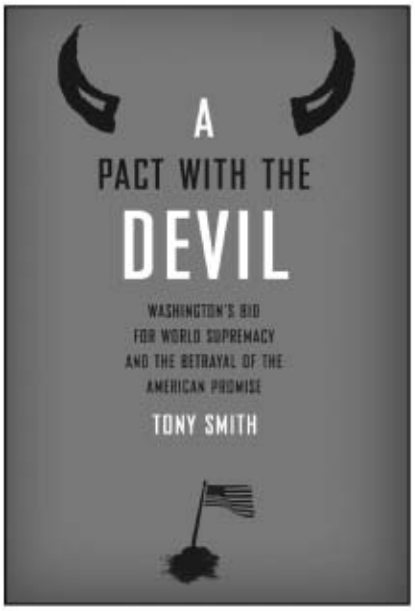
It was hard, practically impossible, to bond with the place. Shiism was not waiting to be deciphered or understood; Moqtada Al Sadr had no time, and no desire, to explain the origins of his worldview, his noble pedigree, the high clerical tradition of his family, to the American journalists in the bubble of the Republican Palace. It was enough for him that his devoted followers knew the magic of his lineage. The reclusive Ali Al Sistani, in his modest home on a lane in Najaf's souk, kept the invading power—and the press that came with it—at bay. In one of my favorite anecdotes of Iraq, an American diplomat of considerable sway asked an Iraqi interlocutor what the term *hawza* meant—the word for a Shia study group and academic circle. "It's amazing," the Iraqi academic answered. "You send a huge army to this country, but you don't know the most rudimentary thing about its life."

We had made our way into a land that had been hermetically sealed to outsiders. We never had the slightest interest in Iraq. There were Americans who knew Beirut and the Palestinians; there were the expats, the oil prospectors and engineers who had bonded with the people of the Peninsula; and there came a time, in the 1970s, when Egypt was incorporated into the American orbit. The late King Hussein of Jordan had made his realm accessible and familiar to us—he even married a Princetonian. But Iraq had never figured in the American imagination, or in the American scheme of things. We were invading the most insular of countries.

But invade it we did, and so we have to talk ceaselessly of Iraq. The travelers and the journalists and the talking heads make the obligatory visit to the Green Zone and return with a spurious authority. This was how you staked a claim to the airwaves; it was important to go over there if you were to be listened to over here. Iraq became a background, a credential. A kind of "nonaggression pact" was entered into by the instant experts: no one called anybody else's expertise into question. In this way, Iraq became the subject of some of the darkest hours in the history of expertise.

We were on the lookout for the deficiencies of our soldiers and our bureau-

The New World, Ordered?



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Smith deftly traces the undeniable drift in mainstream liberal thinking toward a more militant posture in world affairs with respect to human rights and democracy promotion. Beginning with the Wilsonian quest to "make the world safe for democracy" right up to the present day liberal support for regime change, Smith isolates leading strands of liberal internationalist thinking in order to see how the "liberal hawks" constructed them into a case for American and liberal imperialism in the Middle East. The result is a reflection on an important aspect of the intellectual history of American foreign policy; establishing how a sophisticated group of thinkers came to fashion their recommendations to Washington and working to see what role liberalism may still play in deliberations in this country on its role in world events now that the failure of these ambitions in Iraq seems clear.

"This is a deeply disturbing and important book.
A probing examination of the Bush Doctrine that shows that its roots lie not in a fringe neoconservative movement, but in liberal political thought that is central to much American thought and history.
—Robert Jervis, Columbia University

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crats in Iraq; but no one bothered to look into the limitations of our writings about Iraq. "We did not attempt to undeceive them," a sly French traveler on the Grand Tour once said of the honors attributed to him in the Levant. Our Iraq observers never attempted to undeceive us about the genuine state of their knowledge of that difficult place. The American audience was left to the illusion that the writers knew the language, or at least the culture, of Iraq. No one quite came forth and claimed fluency in Arabic—that carries risks in the age of the bloggers; but there was no harm in putting out an excited air of authority, an insinuation that the traveler had stepped into a world that he or she knew well. A word or two of Arabic could be pressed into the narrative. Above all, there was knowingness. This was enough to get past Chris Matthews and Tim Russert. Jolly Tim did not know about the *hawza*, and neither did his guests. We had taken the Iraqis out of the Iraq story, and we settled in for another bout of American narcissism—our deeds, our failures, our war.

II.

Ali A. Allawi's magnificent book arrives not a moment too soon. Here, finally, is a man of Iraq who knows its history and its wounds. He can write with deep understanding about its poets, its intellectuals, its clerics. He thoroughly grasps its peculiar place in its neighborhood, caught as it has been for several centuries between an Arab sense of belonging and currents from the Persian state to its east. A man of the Shia aristocracy—a cousin of Ayad Allawi, and a maternal nephew of Ahmad Chalabi—and a man of Baghdad, Allawi was marked for exile. His father had been one of the country's most respected physicians, and had served as minister of health under the monarchy. His family left Iraq after the Revolution of 1958, when he was a boy of ten. He was sent to boarding school in "deepest Sussex," then to MIT and Harvard. He found a big world outside Iraq, and financial success. But his country would continue to tug at him.

Allawi was active in the politics of the exiles, and made his return to his homeland shortly after the destruction of the regime of Saddam Hussein. This was no carpetbagger who had come back for the loot. By all reports a man of exacting integrity, he has served, at one time or another, as minister of trade, defense, and finance, and as a member of parliament. A man with a literary bent and a feel of his country's torments, Allawi has now come forth with a testimony that will endure. Away from home for decades, he brought with him what Leon Wieseltier once called the "stranger's wakefulness." But he is invested in his country's ordeal as no stranger could be.

After three decades—many lifetimes in a country that has been through what Iraq endured in wars and despotism and devastating economic sanctions—Allawi returned to a country altered beyond recognition. In our image of it, Iraq had been a Sunni dominion, but there always was a special place in it for the Shia aristocracy of Baghdad into which Allawi was born. There had been a pact that marked out the political life, which he ably describes:

> Essentially, it was based on the recognition by the Shi'a elite that they might have some share of central power, within limits that would satisfy the more ambitious of their leaders. But they should not aspire to control or run the state, even though their numbers might warrant this. At the same time, the state, dominated by the Sunni Arabs, would recognize and acknowledge the props of Shi'a identity, and would not move to alter or shrink them in any significant way. Essentially, the Sunni Arabs controlled the state, while the Shi'a were allowed to keep their civil, mercantile and religious traditions. It was a precarious balance, but it held the potential for improvement and progress towards a common sense of citizenship, duties and entitlements. Successive governments in the 1960s and 1970s, however, foolishly destroyed this. The state removed the elements that kept a vigorous Shi'a identity alive in parallel to a Sunni-dominated state. Nationalizations, emigration and expulsions destroyed the Shi'a mercantilist class; the state monopoly on education, publishing and the media removed the cultural underpinnings of Shi'a life; and the attack on Najaf and the religious hierarchy came close to completely eliminating the *hawzas* of Iraq. When the state embarked on the mass killings after the 1991 uprisings, Iraq became hopelessly compromised in the minds of most Shi'a.

The restraints of the ancien régime had given way. From afar, the exiles and the Anglo-American planners of the coming war talked of the modernism of Iraq and of the promise of its vast middle class. But the country of memory had ceased to exist.

There had been, Allawi observes, something of a brief "golden period" of the middle class in the 1970s. It was a time of official brutality; but oil income had given Iraqis a shot at a new life. This was not destined to last. The 1990s—the years of sanctions and hyperinflation—had devastated the bourgeoisie. Proud men and women auctioned off their movable assets to survive. There was a mass exodus of professionals to any country that would have them. A "faith campaign" launched by Saddam Hussein when all was lost and compromised—a time of false piety, when the *hijab* spread in ever-greater numbers and a show was made against the consumption of liquor—hid the misery and the moral collapse. Some women, now heads of households as never before, were driven into prostitution. The pride of this country, a relatively advanced educational system, cracked. By 2000, a quarter of school-age children had given up on school, and children scrambled to help support eroding family incomes. By 2003, nearly half the adult population was illiterate. So the liberating power had its work cut out for it: it swept into a brutalized country.

More problematic still, the past of this land was everywhere in its present. A past deeper and older than the sanctions, older even than the regime of the Baath, haunted Iraqis. Allawi finds his way into his country's temperament and its tradition through the work of Iraq's most distinguished and controversial sociologist, the scholar Ali Al Wardi (1913–1995), a U.S.-educated Shia writer who spent a lifetime trying to decipher his country's ways. Intuitive, anecdotal, dismissive of the statistical pretensions of Anglo-American social science, Wardi left behind a huge body of writings. Inspired by the work of the great fourteenth-century North African scholar Ibn Khaldun, Wardi believed that the process of urbanization, indeed modernism itself, was skin-deep in Iraq. For Wardi, and for Allawi after him, the country's turbulent history rested on a "pervasive dichotomy between the city, representing urban civilized values, and the steppes, representing the prevalence of nomadic, tribal values."

Back and forth, Iraqis oscillated between the desert and the town. "The sense of the impermanence of the source of their values drove Iraqis into developing their noted schizoid qualities," Allawi observes. "The desert could actually or metaphorically encroach on the city, while at the same time, the city could tame the desert by harnessing the country's waters and cultivating its soil." The struggle between town and country took on a special deadly meaning here, for it lay across the fault line between the Sunnis and the Shia. In Wardi's classification, the southern part

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of the country, the heartland of Shiism, was a settled urban world, while Sunnism, with its nomadic and tribal culture, was based in the western steppes of Iraq.

The Anglo-American war planners were unaware of this history. But this was the actual country that awaited its foreign liberators. In Allawi's elegant summation: "When the Coalition arrived in Baghdad on 9 April, 2003, it found a fractured and brutalized society, presided over by a fearful, heavily armed minority. The post 9/11 *jihadi* culture that was subsequently to plague Iraq was just beginning to take root. The institutions of the state were moribund; the state exhausted. The ideology that had held Ba'athist rule had decayed beyond repair."

In the best of circumstances, it would have been extremely difficult to repair this country and to hold it together. But Iraq was soon to become the battleground of an ideological war, and a turf war, between different wings of the American national security bureaucracy. The "realists" in the Central Intelligence Agency and in the State Department lost the early rounds, but they soon struck back. The victory that would come their way shortly after the fall of Baghdad would set the pattern of the American venture in Iraq. On May 6, 2003, as Allawi narrates it, George W. Bush announced that Paul Bremer would be the top civilian administrator in Iraq. Two days later, the United States and Britain announced that they were sponsoring a resolution that would grant them the status of occupying powers. On May 12, Bremer landed in Baghdad, the proconsul of an occupation regime. This, Allawi remarks, had come like a "thunderbolt out of the blue" to the Iraqi political class. The Iraqi leaders had expected a sovereign government of their own. But Colin Powell and the CIA had fought an effective rearguard battle: the "American project" in Iraq would be stripped of the ideological promise of an independent Iraq that would be a showcase for other Arabs. In no uncertain terms, Bremer would make it clear to the principal Iraqi leaders that his writ would run in Iraq, and that genuine authority was invested in him and in the Coalition Provisional Authority (CPA) over which he presided.

But Bremer was no MacArthur, and this was not America in an age of self-confidence born of a great, decisive war. The American occupiers were not of one mind as to what ought to be done with this imperial acquisition. Wild-eyed schemes for remaking the country, recasting it as a bastion of free enterprise and participatory politics, clashed with bouts of reticence and the hard-boiled sentiment that Iraq was what it was and therefore was best dealt with through incrementalism. An old totalitarian bureaucracy soon found the cracks in the occupying powers' authority and knowledge. "The CPA did not demolish the state that it had inherited and then start to rebuild it along the lines that it prescribed," Allawi writes. "This was the usual way of working in countries that had been totally defeated in war and then occupied. But the CPA insisted on keeping the form and most of the content of Iraq's government intact."

The proconsul made sweeping declarations, but the Iraqi bureaucracy stalled and waited him out. In a telling metaphor, Allawi likens the CPA reforms to a demolition ball that struck a huge, decrepit building but unevenly inflicted minor damage on the edifice: "The foundations, and a considerable part of the superstructure of the dysfunctional state, remained." A huge amount of cash was sloshing around the country, and the old networks of corruption and inside dealing would reconstitute themselves in record time. This was the perfect playground for carpetbaggers and profiteers.

A show was made of Iraq's independence, a transparent cover for the occupation with the formation of a Governing

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Council, a twenty-five-member body drawn from the exiles and the political parties that had staked a claim to the new order. Oddly, the American regency had no sooner midwifed this Governing Council than it set out to undermine it. It was said of this council that it was unrepresentative of Iraq, and thus would not be granted sovereignty or power. This was in part the bureaucratic imperative of the CPA; but the Americans had perhaps caught the bias in the Sunni Arab world against this body. In Amman, in Cairo, in the Peninsula, in the circles of the Arab League, there was a fierce hostility to the Governing Council. It was written off as a group of quislings and "collaborators."

This was peculiar, for the entire region lay within the American orbit of power, and American security arrangements bound virtually all the ruling regimes to the Pax Americana. Yet the council, with a bare Shia majority, was singled out for abuse by the domesticated media of the Arab world and its satellite channels. When, in May 2004, an American-led raid on the home of Governing Council member Ahmad Chalabi took place, the play in Baghdad was laid bare. Chalabi had emerged over the preceding year as a relentless advocate of Iraqi sovereignty; but the American regency was bent on having its way. And beyond this raid, the shape of things to come had crystallized in the first year of the occupation: the CPA, for all its pretensions to absolute power, was being driven into what Allawi aptly describes as a "physical and psychological ghetto." Outside the bubble of the Green Zone, a violent insurgency was taking shape. This insurgency was an affair of a thousand discontents: hostility toward an occupation, the anger of the Sunni Arab "supremacists" (a fitting word for the extreme elements in that community) at the loss of power, the desire for plunder and revenge, the conviction among the Shia that this was their chance to make the Iraqi state in their own image and to claim it for themselves.

III.

It is the gift of Allawi's narrative that his is not merely a story of American incompetence or the CPA follies. (He leaves this to the self-regarding Americans.) For beyond Bremer and the "wet behind the ears" crowd that came with the occupation and quickly gave up when Iraq confounded or "disappointed" them, there were deep changes within Iraq itself; and they would in the end determine Iraq's destination. The ghost of Wardi would make its appearance with a vengeance: desert and town would descend into a new war. And this war would be fought in an Arab world where swords—and identities—were being sharpened and drawn in a new fight between the old Sunni hegemony and the Shia outcasts now pressing for a new place in the sun.

We owe to Allawi a clear account of the impact upon Shia consciousness—and its subsequent radicalization—of the discovery of mass graves during the first year of the occupation. The brutality of the regime toward the Shia, and the Kurds, was well known. But the mass graves—and the documentary evidence: the Baathists were meticulous about keeping record of their grim atrocities—were to "harden the determination of the Shi'a to carve for themselves a commanding role in the new Iraq." The estimates of the scale of the terror were not precise. Human rights organizations put the victims at 300,000, while the American estimates ran to 400,000. Either way, the psychological impact of these mass graves on the Shia sense of righteousness and violation was immense.

These great crimes had taken place, the Shia knew, against the background of wider Arab indifference. The years since 1991, when Saddam's regime survived the first American-led war and turned its wrath on the Shia and the Kurds, had been a time of great terror. The Kurds had made their way out of Iraq, psychologically and physically; the Anglo-American coalition had secured for them a separate state in all but name. But the Shia had remained in the big prison, and what little traces of mercy and restraint existed in Saddam's domain had vanished. The psychological and physical terror unleashed on the Shia dwarfed the "traditional" brutalities of preceding Iraqi regimes.

Moreover, the Shia who had taken refuge in Iran had returned with accounts to settle. In an important distinction, Allawi remarks that the Shia had been loyal to the country but not to the state. Now the country was to be made fully theirs. Power would drift to the Islamists among the Shia; and men such as Chalabi and Ayad Allawi, Baghdad aristocrats with years of exposure to the West, would scramble to keep their place. The men of the Daawa Party—the party of Nuri Al Maliki, the current prime minister—came into their own. The Baghdadi Shia, heirs to an urban mercantile tradition, would cede their primacy to political men born and reared in the Shia heartland of the southern and middle Euphrates.

This new Islamism among the Shia did not transpire overnight. The crucible had been the cruel interlude between the onset of the Iranian Revolution in 1979–1980 and the fall of Baghdad in 2003. In 1980 there occurred a searing crime against the Shia: the execution by the Baath regime of Iraqi Shiism's brightest star, Ayatollah Muhammad Baqir Al Sadr. A philosopher of deep modernism, a writer of exquisite talent, a genuinely charismatic figure, he was marked for destruction by the Baath regime, which was locked in an ideological battle with Ayatollah Ruhollah Khomeini. An example was to be made of him; and he and his sister, Bint Al Huda, a poet and a scholar in her own right, were put to death shortly before the regime plunged into its catastrophic war with Iran. (Sadr came to be dubbed "the first martyr," for another Sadr, Ayatollah Muhammad Sadiq Al Sadr, Moqtada Al Sadr's father, was assassinated in 1999 and given the designation "the second martyr.")

In the decade of unrestrained terror that followed the first Gulf war, the life of the Shia seminarians had atrophied. Shiism had been pushed into the underground. The *ulema*, the jurists, who survived had opted for quiescence—the traditional *taqqiyya*, or dissimulation, of the Shia. But another current of Iraqi Shiism, bearing the brand of persecution, had been waiting for deliverance. In its zeal for hegemony, the regime assaulted the reed beds, the very ecology, of the marshes in the south. The Shia of the marshes sought shelter in Baghdad, in the slums that would become known as Sadr City. It was in this culture, and to this yearning for vengeance, that young Moqtada Al Sadr was to find his role. His father, an ayatollah who had arranged his own détente with the regime only to break with it, had been killed, along with two of his older brothers. Moqtada would take the gift of this American war, but without incurring any debt to the liberating power. Perhaps America came too late for gratitude on the part of the Shia. The American betrayal in 1991 had already become part of the Shia narrative of righteousness and defeat.

The chaos of Iraq after 2003 and the virulence of the Sunni attack on the Shia would give the Shia diehards their opportunity to push for their own utopia. In seclusion in Najaf, the Grand Ayatollah Sistani struggled mightily against these gale winds. He gave the presence of the coalition his tacit approval. He forbade revenge killings. He did his best to keep the poise of Shiism against the background of a relentless assault against his community. The young hothead Moqtada Al Sadr bristled against the controls thrown up by the Marjiiyya (the official religious institution of the Shia jurists) of Sistani. He probed the limits of his community's religious and political order with attacks on Sistani for his quietism in the days of the

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terror and hints that the great jurist was an Iranian and so an outsider to Iraq, all of this balanced by professions of loyalty to the great man. The center of Shiism has so far held, though the Islamists have staked their claim to the spoils of power.

The world of the Sunni Arabs was undergoing its own transformation. In a rational world, the Sunni Arabs might have let well enough alone; they had ruled, and had been cruel, and the crimes of the Tikriti despotism could be laid at their doorstep. In a world of reason, they might have traded their old privileges, and the chance for redemption offered them by the occupation authorities, for a place in the new Iraq, a role short of their old dominion but a place of honor and influence nonetheless. But this the Sunni Arabs would not do. They had the habits and the memories of power, and they had their sense of entitlement to it. They had the Sunni Arab states, and the jihadists—the suicidals, as they are called by Iraqis—beyond and around Iraq spoiling for a war against the American infidels and the Shia heretics. The Sunnis claimed Saddam and did not claim him at the same time. For them, de-Baathification was synonymous with de-Sunnification.

In the starkest and simplest of terms, the American war had robbed the Sunni Arabs of their primacy and their patrimony, and delivered it to the Iranians and to their "fifth columnists" within Iraq. Nor would the Sunni Arabs accept the basic arithmetic of the land. They were wedded to the legend that Iraq was a country of minorities, and that they, the Sunni Arabs, constituted a plurality of 42 percent of its population. There was a weird precision about that figure; national and communal myths always include a touch of precision.

In no time, the Sunni Arabs would raise the standard of rebellion against the occupation. They had not been excessively pious, but their mosques now emerged as centers of opposition to the occupation. Fallujah, a town in the Anbar known for its religious conservatism—it is called *madinat al masajid*, the city of mosques—was the first to declare a virtual rebellion against the new order. Fallujah would become the stuff of legends; the Arab satellite channels outside Iraq would celebrate its heroism (as a few years earlier they had celebrated the doomed and pointless radicalism and violence of Jenin, in the West Bank). A full-fledged insurgency had "crystallized," Allawi writes. Yet the American regency was in denial. The mounting violence was written off as the work of "dead-enders" and former regime elements. "The insurgency began to gel in the summer of 2003.... The infrastructure war began in earnest in the summer of 2003, aimed at creating a fuel shortage inside Iraq, reducing the revenue base of the country and impeding the supply of power to the public. The political advantages of such terrorist attacks would multiply as they began to reveal the inability of the occupying power to provide a basic level of services to the public."

The Sunni Arabs had declared war against the new Iraq. By a "freak of history," Allawi says, a dominant order, the order of several centuries, was unnaturally overturned. Arab jihadists, misfits at war with their own regimes in Jordan and Algeria, Saudi Arabia and Sudan—the unwanted of the Arab world—made their way to Iraq to kill and be killed. The borders were porous, for the CPA had not fully secured them. The jihadists were deadly. But in truth, the insurgency had deep roots in the Anbar province and Mosul, and in the outskirts of Baghdad, which despotism had nurtured as a protective shield against domestic upheaval. "The insurgency was not inevitable by any stretch of the imagination," Allawi declares, "even though some form of ongoing resistance would have been probable. But there was no reason why it could not have been contained, and possibly defeated, at its inception." (There is plenty of room for disagreement here. Perhaps the insurgency was fated from the start, given the will to rule on the part of the Sunni Arabs; but then, too, the kind of punishment needed to thwart the Sunni Arab insurgency was not in the cards, given the deference shown by the Pax Americana to the Sunni Arab states around Iraq.) The Iraqi army and the security services of the old regime had not fought back; they had melted away and lived to fight another day. Given sustenance by a wider Arab world that had seen this new order in Iraq as an assault on all things Arab, the insurgents grew more brazen by the day.

IV.

A year into the time of the Americans, the regency of Paul Bremer had run its course. In an astounding development that gave away the incoherence of the American enterprise in Iraq, the Bush administration sought deliverance through the auspices of Kofi Annan and an Algerian troubleshooter of his named Lakhdar Brahimi. The latter had been a functionary of the League of Arab States; he had never bonded with the Kurds or the Shia, and they in turn were excessively wary of him. Moreover, Brahimi, who made

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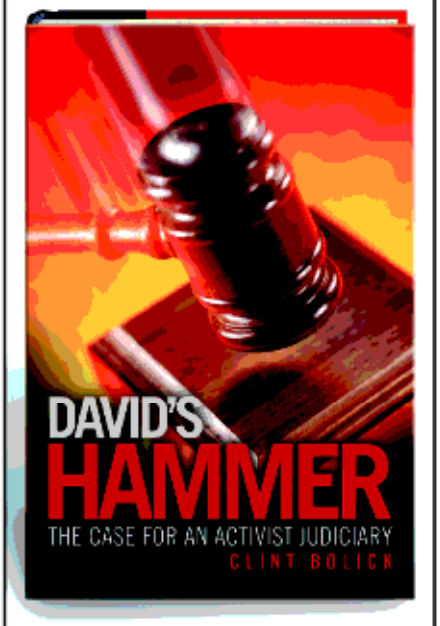

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his home in Paris, partook of the standard anti-Americanism of his political class. He looked with a jaundiced eye on the American war in Iraq, and made no secret of his views. His arrival in Baghdad was, to the Shia and the Kurds, a sign that the American regency, battered and shocked by the virulence of the insurgency and the hostility of the Sunni Arabs, was embarking on a compromise with the Sunni insurgents and their fellow travelers in the political class. "I am a U.N. man," Brahimi said in protest against the enmity that welled up among the Shia. He was entrusted with the task of choosing an interim prime minister and a government that would inherit the CPA. "I will not say who was my first choice, and who was not my first choice ... I will remind you that the Americans are governing this country," Brahimi declared as he tipped the scales toward the old CIA favorite Ayad Allawi.

On the face of it, Ayad Allawi was an attractive choice. He was the oddest of Shiites—a man with a bent for secrecy and an eagerness to assume and exercise power. His political beginnings had been in the Baath Party; he was tight with the security services in Jordan and Egypt. His political party, the Iraqi National Accord, drew from the Baathists who had fallen out with the regime of Saddam Hussein. His relations with the clerical institution in Najaf were correct but distant. He distrusted Iran, and made no secret of what he had in mind: a national security state in the Arab mold. For defense minister, he made an ill-fated choice: Hazem Shaalan, a Shia political man who staked out an uncompromising position against the Shia religious class and against Iran.

This interim government made security its raison d'être. It would fight inconclusive campaigns in Najaf against the forces of Moqtada Al Sadr, and in Fallujah against the Sunni insurgents. This was part of Ayad Allawi's message: that he was an Iraqi patriot not given to the call of sectarianism. A man of the shadows—that is what Ali Allawi calls him—Ayad Allawi was not someone who thrilled to the cause of democracy. Left to his own devices, he would have called off the parliamentary elections scheduled for January 2005; he had the pretext of the security situation and the wide sentiment among the Sunni Arabs against turning out to vote. But he could not hold back the tide. Bush had made these elections a showcase of the war, and of its legitimacy; and there was also the odd democratic weight of Sistani, who had come to see the ballot as his community's way out of fear and marginality. Under the banner of Sistani, with the old man keeping his distance from the rough-and-tumble of politics, a big Shia electoral slate, the United Iraqi Alliance, was put forth. Ayad Allawi made his adjustment: he presented his own list to the electorate. It was known that the big Kurdish coalition—bringing together the two pre-eminent leaders, Jalal Talabani and Massoud Barzani—would claim the votes of Kurdistan. What remained to be decided was the balance between the Shia list and the forces arrayed around Ayad Allawi—the secular Shia, the old Baathists, the Sunni Arabs who dared defy the ban within their community on taking part in the elections. Ali Allawi writes that "Ayad Allawi was banking on the desire for order, security, Arab identity and material progress to push the Shi'a (and Sunni) voters in his direction. It was not a bad strategy, but it missed the *zeitgeist*."

Ayad Allawi's national security state—a variation on Hosni Mubarak's despotism, a state built on security services and crony capitalism—was overwhelmed in the elections. Bloodied by violence, hemmed in by scarcities and material needs, Iraqis had grown attached to their democratic process and were touchingly proud of it. It was what they had to show for the violence and the ruin all around them. In the end, Ayad Allawi's state fell to venality and corruption. His defense minister railed against Iran and the turbans, but a huge scam—"the largest robbery in the world," in the words of a decent judge, the head of the Integrity Commission—was perpetrated in his ministry, a theft of public funds somewhere between $1.3 billion and $2.3 billion. Finance is Ali Allawi's specialty—this would be the portfolio he would assume in the government that would replace the interim cabinet of Ayad Allawi. Those with a taste for this sort of detail can find in his pages an exacting description of the networks of corruption and patronage that reconstituted themselves under the CPA and the brief reign of Ayad Allawi. And there is passion to spare in Ali Allawi's narrative of these scams: "Arab countries who shed crocodile tears about the plight of the Iraqi people did not bat an eyelid when a billion dollars plonked into secret accounts in their countries' banks."

This American war had called forth a genie that the Pax Americana did not like: a Shia-led Iraq. And so the Bush administration recoiled from the verdict of its own war. The Shia secularists, men of privilege and education, were equally surprised by what transpired in their country. "The fulcrum of Shi'a opinion moved decisively towards a religious and communal understanding of their identity," Allawi writes, "leaving other considerations—tribal, political, or regional—to play a distant and secondary role, at least for the time being. Most Shi'a secular politicians, together with the US and UK governments, were in deep denial about this fundamental shift in the persona of the Shi'a of Iraq." The Shia underclass had risen; the pain and the ceaseless terror inflicted on them by the jihadists and their Baathist allies led them straight into their ancient, and now very politicized, faith.

The important question now is whether the United States, under the pressure of a growing disaster, has finally accepted the Shia genie that it summoned. It was American power, direct and unapologetic, that pushed aside Prime Minister Ibrahim Jaafari in the spring of 2006. The United Iraqi Alliance put forth a man from Jaafari's political party and his social class, Nuri Al Maliki. A man of the hinterland with a strictly Arabic education, ill at ease with the Americans but eager to see his country through its torments, Maliki has entered into a marriage of convenience with the American occupation. When he signed Saddam Hussein's death warrant last December, he did it on his own, and in defiance of the American regency. For Maliki and his colleagues in the Daawa Party, the execution of the tyrant was an act of fealty owed to "the first martyr," Muhammad Baqir Al Sadr, who had played a signal role in the birth of the Daawa. It was hardly the only crime, or the greatest crime, for which Saddam deserved to be punished, but still justice was done.

I ONCE OBSERVED about Ali Allawi that Turgenev would have loved such a man, the "liberal" caught in an illiberal world. Allawi feels genuine pity for the Shia underclass, but he is not of them. He had come into a hard country. He was elected to the National Assembly in the elections of January 30, 2005, but he stepped aside from the elections held a year later. There is a formality, a reticence, in Allawi's book, and it is very much in the man. The pronoun "I" hardly appears in his text. It does, though, in his preface. "The new Iraq was held together more by the numbing repetition of platitudes and quick-fix nostrums than by any vision,"

TOMASZ WALENTA

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he writes. "When the Interim Government offered me the ambassadorship to the USA, I could not bring myself to accept it. I knew that I would faithfully have had to represent and reflect the views of a government with which I might be frequently in disagreement." But he did serve as his country's finance minister. Now he is in and out of his homeland, the disappointment leavened by the destruction of a despotism that would have otherwise lasted many more years.

It is true that the carpetbaggers and the profiteers have returned to Baghdad, and it is true that decent men and women have fled to neighboring lands, as waves of Iraqis once fled the terror of Saddam Hussein. It is certainly true that the sectarian violence in Iraq is excruciating, and a threat to all prospects of decency. And yet it is not nightfall that has descended on Iraq, but a savage and uncertain dawn. In those reams of sentences that reporters and travelers and outsiders have brought with them out of Iraq, my favorite remains that of a professional woman who declared that under Saddam Iraqis lived in a big prison and now they are in the wilderness—and that she prefers the wilderness. Ali Allawi rates this war as one of America's "great strategic blunders." That may be, but all is not yet lost. The "neo-conservatives"—a bête noire of Allawi—may have simplified Iraq's truth, and some of them may have given up on Iraqis and despaired of them and said of them the most uncharitable things; but at least they held out the promise of Arab liberty, and broke with the notion that Arabs have tyranny in their DNA.

President Bush's Wilsonianism may have erred on the side of excessive optimism, and may have come to him only after the hunt for weapons of mass destruction ran aground; but that is only the American side of this story. The Arab side is that modern-day Arabs had for decades been lamenting the cozy accommodation of American power to the forces of local autocracy. Lynndie England and Charles Graner were brutes and sadists, but tens of thousands of American soldiers had for Iraqis nothing but tender mercies. The terrible errors of this war can never smother its honor, and Ali Allawi is schooled enough in the history and the sorrow of his land to know that. A new history is offering itself to the Iraqis, and in the tale of disappointment that Allawi brilliantly narrates, there is still the furtive shadow of hope, an echo of deliverance, an undisguised sense of fulfillment at the spectacle of men and women released from a terrible captivity. ◆

Lee Siegel
THE NICENESS RACKET

WHAT IS THE WHAT: THE AUTOBIOGRAPHY OF VALENTINO ACHAK DENG
By Dave Eggers
(McSweeney's, 475 pp., $26)

I.

As I was trying to make sense of Dave Eggers's strange new book, I came across a piece of writing that captured the general cultural atmosphere in which Eggers's book took shape. Not long ago, in the course of reviewing Martin Amis's novel *House of Meetings*, most of which takes place in a Soviet gulag, Joan Acocella bestowed on readers of *The New Yorker* this illumination: "Amis, like Primo Levi, his great predecessor in prison-camp memorialization, is able to calculate *degrees* of anguish."

Amis's great predecessor in prison-camp memorialization! If you had the sublime luck to be sitting in your dentist's waiting room when you read that, you could have tried faking a sudden painful abscess and begging the nurse to infuse you with a triple dose of Demerol. That way, you might have lost consciousness before Acocella's sentence became stored in your memory cells. Her remark was shockingly and multivalently out of kilter. "Predecessor" implies a position and function kindred to those of the eventual "successor," and Amis is planets away from both Levi's experience and his evocative power. Auschwitz was not a "prison camp," it was a death camp. Levi's testimony cannot adequately be described with the bland "memorialization". And real writers, imaginative writers, writers such as Levi, do not "calculate" anything, let alone incalculable anguish.

You couldn't blame Amis for Acocella's insentience, but you couldn't blame Acocella for banging her head against Amis's novel until she apparently lost consciousness. The generation of people who survived the Holocaust and Stalin's vast network of camps is disappearing, but the number of novels about modern genocide has increased, and most of them are written by people who have no firsthand experience of their subject on which to draw. This presents a curious problem. Bearing witness, even in fictionalizing form, to extreme historical events that you have experienced is one thing. It is quite a different thing to try to recreate extreme historical events that you have not experienced, and then to try to imagine what it would be like to think and feel your way through them. This is hardly an illegitimate endeavor—the imagination has an obligation to wrestle with even the most unimaginable experiences; but it is an intensely demanding endeavor, with moral and aesthetic pitfalls all around.

Dave Eggers told *The Washington Post* that before deciding to himself write the autobiography of Valentino Achak Deng—a Sudanese refugee and survivor of genocide who came to this country in 2001 as one of the famous group of 3,800 "lost boys"—he had

> set out to write a conventional biography. But he kept getting stuck. "I didn't know how to do it," he says. "I didn't want my own voice in there." Despairing, he was ready to give the whole thing up. Then it occurred to him that "all the books that we remember about war and about the biggest events of the 20th century are novels." Think of *The Naked and the Dead*, *Catch-22* "and all Hemingway's stuff."

But Mailer, Heller, and Hemingway all fought in the wars about which they wrote. It is difficult enough to write good fiction about war without having been in one—Stephen Crane and Ian McEwan are the only writers I can think of who succeeded in doing so. And the fear, dread, terror, panic, and tedium of war are at least special cases of universal feelings that are vicariously inhabitable. But a concentration camp is a deformed universe unto itself, and it manufactures new feelings, or new deaths of feeling. How can the novelist who takes up that terrible subject inhabit emotions that few people have ever experienced? And why do so many who are not up to the task try? For the result usually is, as with Amis's misbegotten novel, a specious writerly authority, a heightened literariness that is contrived to compensate for an experiential or intellectual incompetence—artificial, self-satisfied books in which style is left to do the work of true feeling and perception.

In the case of *What Is the What*, Eggers has made the very daring decision not only to fictionalize about extreme events that he never experienced, but to base his

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fictions of genocide on the true story of a real, living person. This might be his way of addressing precisely his lack of experience. But then why go to all the narrative trouble? Eggers could just as well have transcribed Deng's extraordinary story without fictionalizing it. The unadorned story, the true story humbly recorded and presented, would not have been lacking in force. The eerie, slightly sickening quality about *What Is the What* is that Deng's personhood has been displaced by someone else's style and sensibility—by someone else's story. Deng survived his would-be killers in the Sudan, only to have his identity erased here.

The question of what motivates someone to fictionalize enormities that he has not experienced—rather than fictionalizing the infinite number of experiences within the reach of his imagination—is a fine subject for critics and psychologists. When the experiment succeeds, it quiets any skepticism about its motives. Directly or indirectly, poetically or plainly, calmly or angrily, cunningly or earnestly, if a writer can find a way to represent evil, his motivation is about as relevant to his achievement as his blood type. Form doesn't matter much, either. Spiegelman's *Maus* is as successful at fulfilling its aim as Lanzmann's *Shoah*. The graphic novel and the film might exert their effects on very different levels, but each work has an honorable, humane, and artistically original purpose. And each work is true to its purpose—no more, no less.

While Eggers inhabits Deng's life in *What Is the What*, it is Deng himself, ironically, who tells us in a preface what the book's purpose is. He says that he is the one writing the preface, anyway: "This book was born out of the desire on the part of myself and the author to reach out to others to help them understand the atrocities many successive governments of Sudan committed before and during the civil war.… Even when my hours were darkest, I believed that some day I could share my experiences with readers, so as to prevent the same horrors from repeating themselves." The thing is, the same horrors are repeating themselves even now. In fact, the horrors never came to an end. And for people who know Dave Eggers's writing, Deng's heartbreakingly affirmative declaration of the possibility of closure—of the possibility of a happy ending—is strangely familiar.

If Eggers, the sincere young father of post-postmodern half-irony—call it sincerony—wants to raise public awareness of the genocide in Darfur, he is not alone; and it is an admirable undertaking. Eggers, in fact, is a wholly admirable figure in American cultural life. With the money he made from his hugely successful first book, *A Heartbreaking Work of Staggering Genius*—itself a fictionalized memoir—he started a literary magazine and publishing house called McSweeney's, and later another literary magazine called the *Believer*, both of which are committed to publishing the work of writers just starting out. He has established free writing workshops—literacy centers, really—for young people throughout the country.

Eggers could have published *What Is the What* with a big-time publisher and gotten a considerable advance. Instead, he published it with McSweeney's and pledged to give the profits to various agencies devoted to relieving the suffering in Darfur. I fully expect that he will do so. I cannot think of many figures in our culture who have gone their own way, against the grain, to the extent that Eggers has. If he has flourished in the mainstream even as he has continued his eccentric dissent from the mainstream, well, he is getting what he deserves.

Dave Eggers the person is all right with me. Dave Eggers the writer is another story. The very distinction, you feel, would exasperate Eggers, since he has staked his creative life on an identification of decent living with good writing. The conviction that good-intentioned people necessarily make good art is what lies behind the hectic innovative blurring of fact and fiction in Eggers's work, and in the work of the writers he publishes.

If there is a McSweeney's sensibility, it is summed up in the epigraph to *A Heartbreaking Work of Staggering Genius*: "First of all: I am tired. I am true of heart! And also: You are tired. You are true of heart!" Art being, among other things, the inner account of what happens when deliberately or unwittingly untrue hearts collide, the McSweeney's style, and Eggers's style, can read like *Peanuts* for adults who are reluctant to grow up. In fact, Eggers prides himself on dividing his fictional and semi-fictional worlds between overgrown children—the true of heart—and adults, the latter almost always helpless victims or boorish types. Mostly, though, grown-ups do not exist in Eggers's writing. His world is populated by young, childlike people mostly in their twenties, for whom the more mature world—as in *Peanuts*—resembles the shadows flickering on the wall of Plato's infamous cave. (One of the most striking things about Eggers's work—and that of many of the writers he has influenced—is that you would be hard-pressed to find in it a description of the sexual act, if you can find one at all. This makes sense, because sex is a childlike act the first experience of which results in growing up.)

The Eggers/McSweeney's true-heartedness consists of a permanent aching sadness. It can be due to heartless parents, as in Sean Wilsey's memoir, *Oh the Glory of It All*. Or it can be the result of parents who have died, as in *A Heartbreaking Work*. In that locus classicus of the McSweeney's idiom, Eggers tells the fictionalized actual story of how he raised his little brother all by himself after both their parents died of cancer within weeks of each other. All McSweeney's children are either spiritual or literal orphans. Eggers's own formative tragedy inflects each of their stories in some hidden, imperceptible way. It is as though he were the founder of a religion. A lot of the writers who appear in McSweeney's and the *Believer* strive not just to emulate Eggers's style, but also to assimilate Eggers's subjects.

The essence of Eggers's fictionalized memoir lies in the words spread across the book's cover: *A Heartbreaking Work of Staggering Genius*. The extravagantly self-mocking title asks to be indulged as an innocent egotism born of great pain. At the same time, having derided its artistic ambition into a nullity, the title also asks that this modest, self-mocking decency be celebrated as a kind of art. Children possess the same effective instinct for deprecating what they truly (tearfully) want. The book's dynamic is almost dialectical: Eggers asserts his sadness, deflects it with trivializing ironic digressions, and then makes this defensive ironizing of pain into an irreproachable new aesthetic. And the whole thing is topped off by the coup-de-théâtre of generously acknowledging the manipulativeness of it all. In other words, you have to be in on the joke to get the pain, but you have to share the pain to be in on the joke. Then you can join the exclusive egalitarian club known as McSweeney's.

And since the joke is literary, and the pain is personal, and the two are intertwined, you cannot ever criticize a work of art without insulting somebody's life. If you do, you are "snarky." In the end, the McSweeneyites dislike the impersonal judgments of criticism because they reject the impersonal authority of art. So they keep beating art back with personal facts, and beating down with self-distancing, loquacious irony the ego that produced, with unacceptable autonomy, the work of art.

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McSweeney's ethos of the personal nature of literary endeavor mirrors its aesthetic of mixing fact and fiction. Or, I should say, self-consciously mixing fact and fiction, because the two are never comfortably integrated in Eggers's work. In his preface to *Heartbreaking*'s paperback edition, Eggers declares that "this is not, actually, a work of pure nonfiction. Many parts have been fictionalized in varying degrees, for various purposes." But he didn't have to tell us that. As he also writes in the preface—with disarming candor—the book is full of characters who "break out of their narrative time-space continuum to cloyingly talk about the book itself." Eggers is often reminding you of his artifice. It is as if he wanted you to believe that showing the seams between the real and the made-up were a further kind of decency, and thus a better type of art. He means his self-consciousness to be not so much a post-modern trick as a public service.

But what Eggers is really doing in his "mash-ups" of fact and fiction is a lot more significant. By refusing entirely to integrate the real and the imaginary into either fiction or non-fiction—by insisting on the made-upness of it all, while still presenting it as something that really happened—he is giving fantasy the status of actuality. Wandering among his facts, his fictions are more like daydreams than acts of "fictionalizing." But he presents them, with a kind of saintly insouciance, as facts. For Eggers, reality is continuous with whatever you want, mentally, to do to reality. For all of their effusions about the exalted wonderfulness of art, the McSweeneyites, like Eggers, do not transform reality, the way artists do. They juggle with it, the way daydreamers and entertainers do.

II.

THIS IS NOT TO SAY that *A Heartbreaking Work of Staggering Genius* doesn't have a raw, magnetic, unexpected power, despite its overcooked self-consciousness. Eggers is affectingly true to his acheful, winking, self-dramatizing, self-distancing, sinceronic purposes. But in *What Is the What*, he is not true to Valentino Achak Deng's.

The Washington Post's article went on to explain Eggers's project in *What Is the What*:

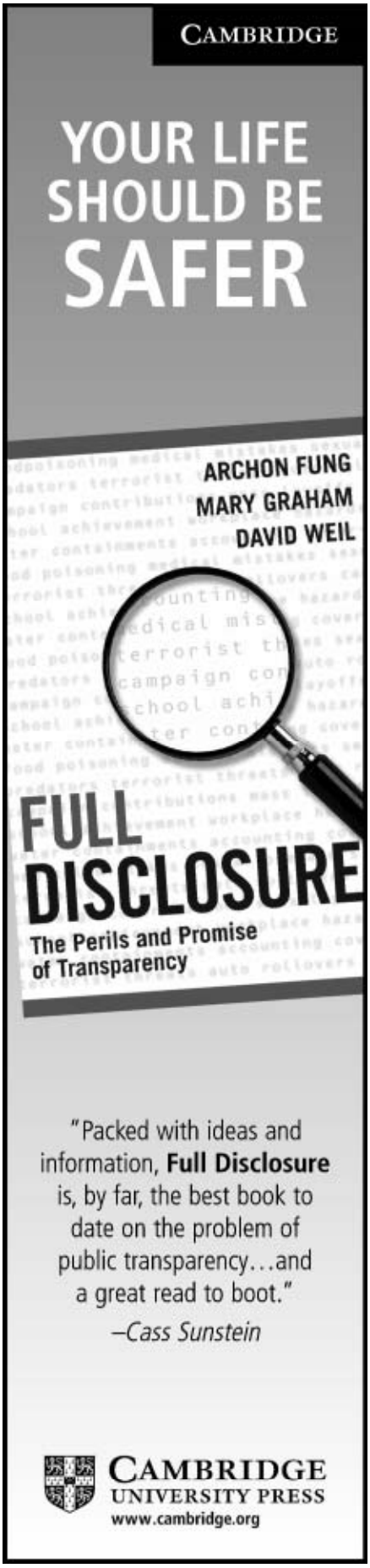
> More important, think of the ways fictionalizing Deng's story could solve narrative problems. By labeling the book a novel, Eggers says, he freed himself to re-create conversations, streamline complex relationships, add relevant detail and manipulate time and space in helpful ways—all while maintaining the essential truthfulness of the storytelling.

A Heartbreaking Work struck a chord in many readers because it captured the shuffled planes of reality in our entertainment culture of high-tech, multi-dimensional representation. (A good part of the book has Eggers being interviewed by a producer for the proto-reality show *The Real World*.) And it dramatized the fragility, and also the resilience, of selves trying to use all the thronging simulacra to protect themselves against life's afflictions. At times the book seemed written less by a single author named Dave Eggers than by a committee of people sitting in Eggers's brain, each person representing a different branch of popular culture. In *A Heartbreaking Work*, Eggers also "freed himself to re-create conversations, streamline complex relationships, add relevant detail and manipulate time and space in helpful ways." But he didn't do this to "solve narrative problems." He did it to solve the problem of a person in pain. That is why he never called that book a novel.

The assumptions of *A Heartbreaking Work* were that fantasy is co-extensive with reality, that making stuff up is fine if it preserves your trueheartedness. But these assumptions collapse in *What Is the What*—or, rather, they are routed by its subject. The encounter between Eggers's small sly ethos and a genocidal historical event is a messy collision between childhood and reality; between whimsical, self-protective artistic license and a situation where life and death are balanced on the difference between truth and falsehood.

After all, the single most powerful argument against the mass murderers in Khartoum—who blame the genocide on the rebels in Darfur and claim to be innocent of programmatic killing—is the testimony of the victims of Khartoum. And the power of this argument rests on a belief in the sanctity of the truth; on the palpable presence of the human subject, on his memory and his trustworthiness and his authenticity; on the fact that this unique unduplicatable human individual, the one giving the testimony, survived. Indeed, it is the perpetrators of genocide who are the masters of freeing themselves "to re-create conversations, streamline complex relationships, add relevant detail and manipulate time and space"—all in the most destructive ways imaginable.

Valentino Achak Deng, the man and the human argument, does not really exist in *What Is the What*. Eggers's voice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Six Posthumous Fragments by Yehuda Amichai

I do not know if what you were
looking for
in the world or in me
with your big eyes
all the short days of your life
you will now find. But I can
promise you
that this search will go on and on
unlike the search for survivors
of a disaster
in the air or at sea
which after a few days or weeks
is canceled.

• • •

And what about God?
There are no miracles.
He wasted all the miracles
in the Bible.

• • •

Coming and Going

My soul is my mother
my body is my father
or the reverse.
It changes.
One of my children can
fall asleep only in strong light
the other only in darkness.
I am the son of chance and destiny
now the orphan of both.

• • •

Lonely Man

Even his wars
he fights
with himself.

• • •

Better the mark of Cain
than the mark of Abel.

• • •

The House of Lovers

A house full of lights
is hidden in the great darkness in
the garden.
If we are lucky
the house will collapse and the light
will be set free
for the whole world.

Translated from the Hebrew by Leon Wieseltier

is all over the book, in a way that it would never have been if he had stuck with his original intention to write a conventional biography. No one would ever confuse a biographer's voice, no matter how strong, with that of his subject. But Eggers has totally subsumed his Sudanese hero's voice into his own. Here is a passage from the final page of *What Is the What*:

> I speak to these people, and I speak to you because I cannot help it. It gives me strength, almost unbelievable strength, to know that you are there. I covet your eyes, your ears, the collapsible space between us. How blessed are we to have each other? I am alive and you are alive so we must fill the air with our words. I will fill today, tomorrow, every day until I am taken back to God.

And this is from the concluding pages of *A Heartbreaking Work*:

> And we will be ready, at the end of every day, will be ready, will not say no to anything, will try to stay awake while everyone is sleeping, will not sleep, will make the shoes with the elves, will breathe deeply all the time, breathe in all the air full of glass and nails and blood, will breathe it and drink it, so rich, so when it comes we will not be angry, will be content, tired enough to go, gratefully, will shake hands with everyone, bye, bye, and then pack a bag, some snacks, and go to the volcano—

Somehow, the celebrated post-postmodern American writer and the impoverished Sudanese survivor both end their tales of radically different trauma with the same Yes! to life, the same thankfulness for every simple day, the same feeling of blessedness and gratitude, the same vow of wakefulness and strength, the same acceptance of death. As for Eggers protecting the voice of Valentino, who is not a native English speaker, from his own, consider this, from *What Is the What*:

> The tape continues to break away from my skin. You, TV boy, see none of this. You seem unaware that there is a bound and gagged man on the floor, and that you are watching television in this man's home.

And this, from *A Heartbreaking Work*:

> It's awkward, and I can't do both things while sitting on the arm of the couch and still be in a position to see the television. I try kneeling on the floor next to the couch. I reach over the arm of the couch to apply the ice with one hand, and pressure with the other.

Eggers might well protest that he novelized Deng's experiences because a dry, unadorned account of Deng's ordeal would read as just another piece of transcribed testimony, thousands of which you can find in the files of any human rights organization. After a while, they all begin to sound like one another, in a single mind-numbing blur of human sorrow. Such an arid telling would never attract readers in large numbers, and so would never succeed in making large numbers of people aware of the crisis in Sudan. This may be true—except that few people are going to be galvanized into political or financial action by Eggers's telling of Deng's story. The self-conscious equivalence between decent living and good writing that makes Eggers and the McSweeneyites so oddly loath to portray human darkness turns Deng's experiences into a type of fairy tale.

The trouble in Deng's life begins when one day the rebels appear in his village. They demand that Deng's father, a modestly successful merchant, give them all his sugar. He refuses. One of the rebels becomes enraged:

> And with that, without any sort of passion, he kicked my father in the face. The sound was dull, like a hand slapping the hide of a cow. He kicked him again and the sound was different this time. A crack, precisely like the breaking of a stick under one's knee.
>
> At that moment, something in me snapped. I felt it, I could not be mistaken. It was as if there were a handful of taut strings inside me, holding me straight, holding together my brain and heart and legs, and at that moment, one of these strings, thin and delicate, snapped.

No less than three similes cushion the reader from the blow inflicted on the father and its effect on his young son. And they are not particularly fresh similes, either. The rhythm of the sentences is lovely; the subjunctive is absolutely correct. But the rhythm gives the ugly thing a prettifying framework, and the inappropriately formal subjunctive makes the violence even more remote.

Shortly after this, the entire passage is drained of whatever shocking inhumanity it might have had by the trademark Eggers/McSweeney's trueheartedness—the belief that the reader is too tired and pure of heart to be exposed to assholes. Having read of the crack in Deng's father's body, having been told that something

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essential in Deng snapped, you assume that the father is dead. You read about a helicopter attack (why does Eggers have Deng call them "great black crickets," when Deng has been to a modern school where he learned about modern life?) and about more terror, and because the father is not mentioned you go on thinking that he is dead. But then he suddenly appears, just days after being so brutally beaten, seemingly in good health, without any after-effects from the beating, and with no further reference to the heart-snapping crack. Nearly all of Eggers's descriptions of violence are just as evasively, gingerly, handled. It is like putting a protective hand over a child's eyes.

A reader could come away from this wrenching book without any urgent sense of human misery in Sudan at all. One of Eggers's major contrivances is to have Deng start telling his story while he is the victim of a hold-up in his Atlanta apartment. This goes on for something like two hundred pages. Even after he has been bound and gagged, he calmly addresses his captors in his mind and delivers long, exquisitely paced and elegantly written accounts of his ordeal in Sudan, and then in a refugee camp in Ethiopia. The effect of this absurd narrative trick is to perfect the unreality created by all the incongruous writerly figures of speech, and by the "decent" discretion about scenes of violence or sex. Incredibly, rape is carefully alluded to two or three times, but never described.

Eggers means well, he means well, he means well—you cannot say it enough times. You do not need to convince me that he wrote the book for no other reason than to move people to action with Deng's story. But Eggers is a creature of the culture that he helped to create. He is a creature of the McSweeneyite confusion of good intentions with good art, and of its blithe elision—partly pioneered by Eggers himself in *A Heartbreaking Work of Staggering Genius*—of truth with untruth, prevarication with pretense.

The worst aspect of *What Is the What*—the title refers to a Sudanese proverb warning against the unknown—is that Deng's attitudes are tyrannically refracted through Eggers's reshaping of them. Deng does not represent himself. Eggers represents him. You never know whether the startling self-pity that Deng occasionally displays—when two other boys are eaten by lions, Deng laments his unluckiness—is his own or not. In Deng's own voice, these flashes from the underside of his ego might have been extenuated by irony or self-awareness. The same goes for Deng's hostile, suspicious, sometimes contemptuous attitudes toward American blacks. They might have been somehow vindicated in the full-throated revelation of his personality. Or maybe not. We will never know. In Eggers's hands, the survivor's voice does not survive.

Where is the dignity in that? How strange for one man to think that he could write the story of another man, a real living man who is perfectly capable of telling his story himself—and then call it an autobiography. It is just one more instance of the accelerating mash-up of truth and falsehood in the culture, which mirrors and—who knows?—maybe even enables the manipulation of truth in politics.

And Eggers's book is also another unsettling thing. I never thought I would reach for this vocabulary, but *What Is the What*'s innocent expropriation of another man's identity is a post-colonial arrogance—the most socially acceptable instance of Orientalism you are likely to encounter. Perhaps this is the next stage of American memoir. Perhaps, having run out of marketable stories to tell about ourselves, we will now travel the world in search of desperate people willing to rent out their lives, the way indigent people in some desolate places give up their children. Perhaps we have picked our psyches clean, and now we need other people's stories the way we need other people's oil. ◆

Richard A. Posner
ENLIGHTENED DESPOT

THE JUDGE IN A DEMOCRACY
By Aharon Barak
(Princeton University Press,
332 pp., $29.95)

Aharon Barak, a long-serving justice (eventually the chief justice) of the Supreme Court of Israel, who recently reached mandatory retirement age, is a prolific writer, and this is his most recent book. It is an important document, less for its intrinsic merits than for its aptness to be considered Exhibit A for why American judges should be extremely wary about citing foreign judicial decisions. Barak is a world-famous judge who dominated his court as completely as John Marshall dominated our Supreme Court. If there were a Nobel Prize for law, Barak would probably be an early recipient. But although he is familiar with the American legal system and supposes himself to be in some sort of sync with liberal American judges, he actually inhabits a completely different—and, to an American, a weirdly different—juristic universe. I have my differences with Robert Bork, but when he remarked, in a review of *The Judge in a Democracy*, that Barak "establishes a world record for judicial hubris," he came very near the truth.

Barak is John Marshall without a constitution to expound—or to "expand," as Barak once revealingly misquoted a famous phrase of Marshall's ("we must never forget it is a *constitution* that we are expounding"). Israel does not have a constitution. It has "Basic Laws" passed by the Knesset, Israel's parliament, which Barak has equated to a constitution by holding that the Knesset cannot repeal them. That is an amazing idea: could our Congress pass a law authorizing every American to carry a concealed weapon, and the Supreme Court declare that the law could never be repealed? And only one-quarter of the Knesset's members voted for those laws!

What Barak created out of whole cloth was a degree of judicial power undreamed of even by our most aggressive Supreme Court justices. He puts Marshall, who did less with more, in the shade. (He borrowed from Marshall the trick of first announcing a novel rule in a case in which he concludes that the rule does not apply, so that people get accustomed to the rule before it begins to bite them.) Among the rules of law that Barak's judicial opinions have been instrumental in creating that have no counterpart in American law are that judges cannot be removed by the legislature, but only by other judges; that any citizen can ask a court to block illegal action by a government official, even if the citizen is not personally affected by it (or lacks "standing" to sue, in the American sense); that any government action that is "unreasonable" is illegal ("put simply, the executive must act reasonably, for an unreasonable act is an unlawful act"); that a court can forbid the govern-

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ment to appoint an official who had committed a crime (even though he had been pardoned) or is otherwise ethically challenged, and can order the dismissal of a cabinet minister because he faces criminal proceedings; that in the name of "human dignity" a court can compel the government to alleviate homelessness and poverty; and that a court can countermand military orders, decide "whether to prevent the release of a terrorist within the framework of a political 'package deal,'" and direct the government to move the security wall that keeps suicide bombers from entering Israel from the West Bank.

These are powers that a nation *could* grant its judges. For example, many European nations and even some states in the United States authorize "abstract" constitutional review—that is, judicial determination of a statute's constitutionality without waiting for a suit by someone actually harmed by the statute. But only in Israel (as far as I know) do judges confer the power of abstract review on themselves, without benefit of a constitutional or legislative provision. One is reminded of Napoleon's taking the crown out of the pope's hands and putting it on his own head.

Barak does not attempt to defend his judicial practice by reference to orthodox legal materials; even the "Basic Laws" are mentioned only in passing. His method, lacking as it does any but incidental references to enacted provisions, may seem the method of the common law (the judge-made law that continues to dominate many areas of Anglo-American law, such as contracts and torts), except that common-law rules are subject to legislative override, and his rules are not. The significance of this point seems to elude him. He takes for granted that judges have inherent authority to override statutes. Such an approach can accurately be described as usurpative.

Barak bases his conception of judicial authority on abstract principles that in his hands are plays on words. The leading abstraction is "democracy." Political democracy in the modern sense means a system of government in which the key officials stand for election at relatively short intervals and thus are accountable to the citizenry. A judiciary that is free to override the decisions of those officials curtails democracy. For Barak, however, democracy has a "substantive" component, namely a set of rights ("human rights" not limited to political rights, such as the right to criticize public officials, that support democracy), enforced by the judiciary, that clips the wings of the elected officials. That is not a justification for a hyperactive judiciary, it is merely a redefinition of it.

Another portmanteau word that Barak abuses is "interpretation," which for him is remote from a search for the meaning intended by the authors of legislation. He says that the task of a legislature in passing statutes is "to bridge the gap between law and society," and that the task of the judge in interpreting a statute is to "ensure that the law in fact bridges the gap between law and society." This is very odd—isn't the statute the law, rather than the intermediary between the law and the society? What he seems to mean, as further suggested by his statement that "whoever enforces a statute enforces the whole legal system," is that a statute should be interpreted so that it is harmonious with the spirit or values of the legal system as a whole, which as a practical matter means with the judge's ideal system, since no real legal system has a unitary spirit or common set of values.

This understanding of Barak's approach is further suggested by his statement that a judge, in addition to considering the language and background and apparent purpose of a statute, should consider its "objective purpose … to realize the fundamental values of democracy." This opens up a vast realm for discretionary judgment (the antithesis of "objective"); and when a judge has discretion in interpreting a statute, Barak's "advice is that … the judge should aspire to achieve justice." So a regulation that authorizes military censorship of publications that the censor "deems likely to harm state security, public security, or the public peace" was interpreted by Barak's court to mean "would create a near certainty of grave harm to state security, public security, or public peace." It is thus the court that makes Israel's statutory law, using the statutes themselves as first drafts that the court is free to rewrite.

Barak invokes the "separation of powers" as further support for his aggressive conception of the judicial role. What he means by separation of powers is that the executive and legislative branches are to have no degree of control over the judicial branch. What we mean by separation of powers, so far as judicial authority is concerned, is that something called the judicial power of the United States has been consigned to the judicial branch. That doesn't mean the *branch* is independent of the other branches. If each of the powers (executive, legislative, and judicial) were administered by a branch that was wholly independent and thus could ignore the others, the result would be chaos. The branches have to be mutually dependent, in order to force cooperation. So "separation of powers" implies "checks and balances," and the judicial branch has to be checked by the other branches, and not just do the checking. And so rather than our judiciary being a self-perpetuating oligarchy, the president nominates and the Senate confirms (or rejects) federal judges, and Congress fixes their salaries, regulates the Supreme Court's appellate jurisdiction, decides whether to create other federal courts, determines the federal judiciary's budget, and can remove judges by means of the impeachment process. Moreover, the judicial power of the United States can be exercised only in suits brought by persons who have standing to sue in the sense of having a tangible grievance that can be remedied by the court. And because the judicial power is not the only federal power—there are executive and legislative powers of constitutional dignity as well—the judiciary cannot tell the president whom to appoint to his cabinet.

In Barak's conception of the separation of powers, the judicial power is unlimited and the legislature cannot remove judges. (And in Israel, judges participate in the selection of judges.) Outfitted with such abstractions as "democracy," "interpretation," "separation of powers," "objectivity," "reasonableness" (it is "the concept of reasonableness" that Barak would have used to adjudicate the "package deal" for the release of the terrorist), and of course "justice" ("I try to be guided by my North Star, which is justice. I try to make law and justice converge, so that the Justice will do justice"), a judge is a law unto himself.

Barak's jurisprudence may seem to hold no interest for Americans other than as an illustration of the world's diversity. But in fact it has important implications for the controversial issue of whether American judges should cite foreign cases as authority. I must explain what I mean by "as authority." There is no objection to citing a foreign judicial opinion because it contains an insight that bears on the case at hand, just as one might cite a book or an article. But that is different from treating the foreign decision as a "precedent," in the legal sense of a decision that has weight

TOMASZ WALENTA

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irrespective of the cogency of its reasoning. Some American judges think that just the fact that a foreign court has decided a case in a certain way is entitled to some weight in deciding a similar American case. So if a foreign supreme court has held that executing juvenile murderers is unconstitutional, its decision, even if not impressively reasoned, is one more twig to place in one of the pans of the scales of justice.

But what we learn from Barak's book is that some foreign legal systems, even the legal system of a democratic nation that is a close ally of the United States, are so alien to our own system that their decisions ought to be given no weight by our courts. American judges distinguish between how they might vote on a statute if they were legislators and whether the statute is unconstitutional; they might think it a bad statute yet uphold its constitutionality. But in a Barak-dominated court, it would be very difficult to tell whether a judgment of unconstitutionality was anything more than the judges' opinion that it was a dumb statute, something they would not have voted for if they were legislators. And such an opinion would have no significance at all for the question of constitutionality.

When Robert Bork attributes "judicial hubris" to Barak, he is using as his benchmark the American system. Many Israelis think Barak hubristic, but whether he is or is not in the Israeli setting is irrelevant to Bork's judgment. All Bork means is that a judge who thinks like Barak is playing outside the boundaries within which American judges operate. Not that there are no hubristic American decisions, of course; but their authors make some effort to tether them to orthodox legal materials, such as the constitutional text. The tether is long and frayed when, for example, a judge decides that criminalizing abortion, or refusing to grant a marriage license to a homosexual couple, is a deprivation of liberty without due process of law. Such decisions could be thought lawless in the sense that the judge is making a discretionary judgment that owes nothing to an authoritative text and everything to the judge's personal values. So there is a sense in which Barak merely carries to its logical extreme a tendency discernible in our courts. It is a matter of degree, but at some point a difference in degree can rightly be called a difference in kind.

Barak's book is not introspective. He purports to derive his judicial approach from the abstractions that I mentioned, but they cannot be the real source of his jurisprudence, because they are as empty as they are lofty. In places the book is naïve, as when Barak writes that "other branches [of government] seek to attain efficiency; the courts seek to attain legality." Or when, in defending a ruling made during the Gulf war in 1991 requiring the Israeli army to distribute more gas masks to residents of the West Bank, Barak says that "we did not intervene in military considerations, for which the expertise and responsibility lie with the executive. Rather, we intervened in considerations of equality, for which the expertise and responsibility rest with the judiciary." Yet the book strongly commends the balancing of competing interests as a technique of judicial decision-making, implying that in the gas-mask case the court should have balanced against considerations of equality whatever military reasons the army gave for distributing fewer gas masks on the West Bank than in Israel proper, such as that Iraq was more likely to aim its missiles at Jews than at Arabs. A few pages after the gas masks Barak writes inconsistently that when deciding whether to invalidate a security measure, "the court asks if a reasonable person responsible for security would be prudent to adopt the security measures that were adopted."

The book is, in fact, rather unsophisticated, as if written for a nonprofessional audience. (It is also riddled with minor errors, such as renaming me "Robert Posner.") But it has some good points, such as its discussion of the things besides justice that judges should consider in interpreting a statute, bridging that mysterious gap between law and society, and objective purpose "at the highest level of abstraction" (the level at which the objective purpose is to realize the ideals of democracy). And the chapter on terrorism that I have just been criticizing rightly observes that judicial decisions restricting civil liberties in wartime may serve as precedents for restricting such liberties in peacetime, which to some extent has happened in the United States since September 11, and also that we do not need two systems of balancing security and liberty, one for wartime and one for peacetime—we can use one system, while recognizing, as Barak to his credit does, that security does have more weight in time of war. Nor do I mean to suggest that Barak's judicial oeuvre as a whole is hubristic. The "Basic Laws" may not be a constitution, but they provide an adequate textual basis, even in American terms, for decisions that Barak has written forbidding discrimination against homosexuals and against Israel's Arab citizens.

And whatever the weaknesses of the book, Barak himself is by all accounts

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brilliant, as well as austere and high-minded—Israel's Cato. Israel is an immature democracy, poorly governed; its political class is mediocre and corrupt; it floats precariously in a lethally hostile Muslim sea; and it really could use a constitution. Barak stepped into a political and legal vacuum, and with dash and ingenuity orchestrated a series of (in Laurence Tribe's words on the dust jacket) "surprisingly agreeable outcomes." He was a legal buccaneer, and maybe that was what Israel needed. But there is not a hint of an acknowledgment of this in the book. Barak writes not only without self-doubt, but also without a sense that his jurisprudence may reflect local, as well as personal, conditions. (He survived the Holocaust as a child in Lithuania, and this may help us to understand a position of his that would be thought unacceptably illiberal in the United States: that no member of an anti-democratic party can be permitted to stand for election to the Knesset, since the Nazi Party came to power in Germany democratically.) He pities our Supreme Court justices their timidity. No wonder he frightens Robert Bork. ◆

Alan Wolfe
SOCIAL SKILLS

THE CIVIL SPHERE
By Jeffrey C. Alexander
(Oxford University Press, 793 pp., $35)

I.

Can sociology be saved? It ought to be. Not long ago, sociology was the most promising of the social sciences. At a time when economists had not yet discovered rational actors and political scientists belonged to government departments, sociology was the American social science most in touch with the great minds of Europe. Inspired by Emile Durkheim and Max Weber, sociologists wrote books that grappled with the contradictions and the potentialities of the modern condition. Even when it was in the grip of academic professionalism, sociology was distinctive. America's most famous sociologist during the 1940s and 1950s was Talcott Parsons of Harvard, a dreadful writer and a builder of imponderably complex classifications, but for all his abstruseness Parsons addressed many of the salient issues of his time (notably McCarthyism) and many of his collaborators and students—Edward Shils, Robert K. Merton, Robert Bellah, Neil Smelser—became giants in the field.

By the time the 1960s rolled around, radical students were ready for sociology—and sociology was ready for them. Out at Berkeley, Nathan Glazer and Seymour Martin Lipset greeted the New Left with something less than enthusiasm; for them, the student movement seemed uncomfortably close to European extremism. But then there was Columbia's C. Wright Mills, a Camus-like figure to the radicals of his day, whose books were read as holy scripture. And even if the radical students did not like what thinkers such as Daniel Bell or David Riesman said about them, their understanding of American society was deepened by *The End of Ideology* and *The Lonely Crowd*. In the heady atmosphere of the time, sociology, like left-wing politics, looked like a growth industry. The idea that one or the other—let alone both—would enter a steep period of decline simply did not seem possible.

Sociology is not completely dead, even if some of its former adherents, such as Peter Berger and Irving Louis Horowitz, have written its epitaph. There are figures—William Julius Wilson, Richard Sennett, Orlando Patterson, Paul Starr—who write for a broad general public. And others—Jerome Karabel, Kristin Luker, James Davison Hunter—have written important books that help Americans to understand such contentious issues as university admissions policies, abortion, and the culture war. Yet sociology does not attract the best and the brightest among college students, and few of its practitioners have become household names. (In 1954, David Riesman was on the cover of *Time*!) The field no longer has much use for its European originators. Half of the discipline is engaged in number-crunching, while the other half does thinly disguised (or completely overt) left-wing politics. Meanwhile, academics from all the social sciences, including sociology, turn to economics for models of human behavior, while political science attracts significant numbers of undergraduate majors and speaks to the issues central to the disasters of the Bush years. So sociology exists, but it does not flourish. Some universities have closed their sociology departments down. Others just leave them underfunded, knowing full well that their poorly paid members have nowhere else to go.

One reason why sociology may be in trouble—the most serious reason, come to think of it—is that it lacks both an agreed-upon subject matter and a distinctive methodology. Economists study things involving money, and even those who apply their skills to non-economic subjects, including faith and family, are linked to their disciplinary colleagues by the commitment to a common method. Political scientists have a pretty good idea of what politics is, and while they study power in many locations, including the international arena, they typically agree that power involves, in Harold Lasswell's pithy formulation, who gets what, when, and how. But what is sociology's proper area of study? It once was "society," a broad term that includes both economics and politics; but sociologists, given their current troubles, would be hard-pressed to be so confident and imperialistic today. Yet if not society, what? Unless sociologists can define with some precision a subject and a method unique to them, they will never recover the intellectual prestige that they once enjoyed.

Jeffrey Alexander's new book is the most audacious attempt in recent memory to establish a turf for the discipline of sociology. Alexander's aim is to offer "a new theory of society by defining a new sphere, its cultural structures, its institutions, and its boundary relations with discourses and institutions outside it." Sociology, in Alexander's view, does have a distinct subject matter and methodology, and he is going to tell us what they are and demonstrate what insights they can provide. These are big claims. If Alexander, who is certainly one of the most significant sociological theorists in the United States, makes good on his claims, his discipline has the potential to flourish once again. But if someone with his abilities and his accomplishments fails, then sociology is in worse trouble than we imagined.

II.

The subject matter of sociology, Alexander argues, is civil society. This was once a term in considerable vogue. Theorists of the Scottish Enlightenment such as Adam Ferguson had used the expression to insist on the importance of cooperative relations of trust and mutual obligation. Hegel borrowed it from Ferguson, and for that reason Ferguson's ideas came to have an influence on Marx, although Marx would vehemently disagree with the contention of the Scot-

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tish school that commercial activities encourage peaceful resolutions of conflicts. Rousseau's notions of civil religion, as well as Tocqueville's discovery of voluntary associations in American life, could be read as endorsements of the importance of civil society. Although the idea of civil society lost its way toward the end of the nineteenth century, there was enough life in the idea to spark new interest when a series of momentous events in the late twentieth century seemed to require it for their explanation.

The most important of those events was the rebellion against communism led by Eastern European intellectuals. Hating the state for its repressive proclivities, yet unwilling to turn their countries into laissez-faire bazaars, these activists turned to civil society as an alternative to both the market and the state. The term was quickly picked up by social theorists in the West who were looking for something other than an increasingly dysfunctional welfare state and the cold-hearted forms of Thatcher-Reaganism. Eventually the ideas associated with civil society would make their presence felt in a social science best-seller, Robert Putnam's *Bowling Alone*. (Alas for sociology, Putnam is a political scientist.) Everything seemed in place for a huge revival. Civil society would liberate intellectuals from stale political debates between left and right. It would call attention to the serious problems facing families threatened by divorce as well as communities facing unemployment. It would remind us that obligations to others cannot be satisfied by pursuing only our self-interest, and that duties must not be relegated to indifferent bureaucracies. We would all be communitarians forevermore.

And yet the promised intellectual revolution never came to pass. Newly enfranchised voters in Eastern Europe chose governments committed either to Milton Friedmanism or to ethnic nationalism. Some left-wing thinkers in the West began to realize that religion was one of the most important components of civil society and that the greater reliance upon it might violate their secularist commitments, while others argued that the loosening of once-strong family ties, perhaps a loss for solidarity, was a gain for the autonomy of women. On the right, Ronald Reagan proved to be something less than a full-throated libertarian; if his form of conservatism threatened liberal values, it was certainly not by washing government down the bathtub. And more recently, George W. Bush's policies, far from shrinking government, expanded its repressive features.

Under confusing political conditions such as these, it was by no means clear that a third path between the market and the state really did exist, or that, even if it did, it was a fruitful path to take. Civil society still had a following, but its major adherents, such as Andrew Arato and Jean Cohen, were writing about Hegel and Habermas, not about concrete institutions and the roles that they do or should perform. By the first years of the twenty-first century, civil society has lost much of its promise, as an idea and as an ideal.

This is the vacuum that Alexander seeks to fill. Civil society, he writes, "should be conceived as a solidarity sphere, in which a certain kind of universalizing community comes to be culturally defined and to some degree institutionally enforced." This conception contains a number of important definitional points. With "solidarity," Alexander links back to Durkheim, so as to remind us that we are collective creatures whose individual well-being is intimately shaped by the communities in which we live. With "sphere," he echoes Michael Walzer, to suggest that our collective side is just one aspect of our behavior as human beings, that it has its own rules of organization, and that it can be threatened by other spheres operating with different rules. "Universalizing" builds upon the fact that while the institutions of civil society are particularistic—we belong only to certain civic organizations and adhere to specific religions—through our membership in them we become full members of the larger communities of which we are a part. "Culturally defined" means that the ways in which we move back and forth from the particular to the universal are shaped by artifacts of meaning expressed through language and symbolic representations. And "enforced" represents Alexander's conclusion that civil society, which we shape, in turn shapes us by holding out ideas of moral obligation, which, if we are to lead full lives as members of society, we ought to fulfill.

Civil society, in sum, is both an empirical reality and a utopian goal. Like the economic and political spheres of society, it marks out territory that can be studied using empirical methods. But unlike them, it evokes a normative conception of how society should be organized, which requires deep familiarity with political theory, moral philosophy, and (although Alexander does not emphasize this sufficiently) theology. Through the civil sphere, human beings do not just act; they also aspire. Sociologists who study them should do the same. When they study what society is, sociologists have in mind an ideal of what society ought to be. Society is not just about money and power. It is also about meaning. And the search for meaning, unlike the quests associated with money and power, brings out what is most fully human about us.

There is, then, a distinct methodology that accompanies sociology's concern with the civil sphere. To appreciate fully the role that meaning plays in the lives of human beings, Alexander continues, "we need to employ semiotic theories of binary codes, literary models of rhetoric and narrative, and anthropological concepts of performance and myth." Sociology's distinctive methods are dialogical: words are as much a sociological reality as the things that words strive to describe. Far more than economists and political scientists, sociologists are interested in how human beings communicate with one another. Such communication is shaped by binary codes, for if we are at one and the same time creatures operating in an already existing world and hoping to live in a better one, we are likely to divide the ways we think and speak into categories that reflect this duality of our social existence. The particular and the universalistic, the good and the bad, the real and the imagined—all have to become part of the way we think about how society functions.

Civil society itself is dualistic in nature; it implies the existence of uncivil society. In the one realm, our motives are active, calm, and self-controlled, while in the other they are dependent, excitable, and irrational. Our civil relations with others are characterized by altruism and honesty, while our uncivil ones are marked by secrecy and greed. The civil institutions that bring out the best in us are regulated by laws and seek to be inclusive, while those that bring out the worst are factionalized and power-hungry. Rather than taking motives, relationships, and institutions for granted, as if they fulfilled some function that they were put on this earth to perform, sociologists are constantly engaged in processes of translation, moving between behavior shaped by requirements of power and material gain to forms of behavior shaped by community-building and collective solidarity. (Although he does not say so explicitly, this focus on human communication is Alexander's way of coming to terms with Talcott Parsons, whose commitments to functionalism owed much to forms of biology that paid particular attention to the way human beings change the world around them through the ways they talk about it.)

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Understood this way, Alexander believes that sociology's emphasis on the civil sphere broadens our understanding of how modern societies are organized. There is a tendency in the other social sciences to adopt a posture of hyper-realism. Based ultimately on the contention of Thrasymachus that justice is nothing but the interest of the stronger, hyper-realism insists that the uncivil sphere—greed in the marketplace, power in politics—is the only sphere that matters. Yet modern societies tend to be democratic ones, and democracy insists on the refinement and growth of civil ways of acting and thinking. Thus public opinion and the mass media, for all their flaws, act as checks on the power-hungry; and voluntary associations and interest groups teach civic skills; and elections offer accountability; and power resides in the offices that leaders occupy rather than with those leaders themselves. The health of a democracy is defined as the distance between an autonomous civil sphere and the state. If the distance is great, democracy is vibrant. If the two spheres combine, democracy ceases to exist.

Much the same can be said for law. It is wrong, Alexander argues, to view law as a set of commands made on high meant to force compliance on those below. Law itself is more a way of drawing lines between civil behavior, which society ought to (and frequently does) reward, and uncivil behavior, which it should (and does) punish. Lawyers and judges ask what a "reasonable" person might do under a particular set of circumstances, and the term "reasonable" is meant to establish a civil standard that is both ideal and achievable. The matters that law seeks to regulate, especially contractual relations, do not need the law if they are regulated well themselves, and when uncivil behavior leads to the breaking of a contract, it is by no means certain that the law can restore it. We "see" the law working, especially if we watch television, which cannot get enough judges, lawyers, criminals, and trials before an insatiable viewing audience. We do not see civil relations the same way, but without them we cannot have a system organized by laws.

The civil realm is simultaneously vibrant and vulnerable. Crucial to the workings of politics and economics, it is also threatened by the uncivil behavior of both states and markets. This puts sociologists in something of a bind. They must insist on the autonomy of civil society, as a sphere with a logic and method of its own; but the health of civil society is determined by its relationship to other spheres, and so sociologists must pay attention to them as well. Alexander is most interested in what he calls "civil repair." Uncivil motives and behaviors do not necessarily have to drive out civil ones. On the contrary, new forms of civil relations can challenge uncivil forms of inequality or immorality and improve them. When this happens, sociology is at its best, for its practitioners can not only claim to have understood something that those committed to more static models of human behavior cannot, they have also helped their own society grow by calling attention to what it needs in order to do so.

Sociology, then, is organized by its own binary codes, just like society. Against conservatism, which sees no need for social improvement, sociology insists that life can be better than it is. But unlike revolutionary Marxists who want to transform society from top to bottom, sociology's concern with the civil sphere recognizes that tomorrow's civil institutions grow out of today's uncivil ones. Civil society is not a blueprint for a utopian society, but it is nonetheless utopian. "Civil society," Alexander observes, "is a project. It is a restless aspiration that lies deep in the soul of democratic life." Any academic discipline that makes civil society central to its outlook on the world will aim simultaneously at social understanding and social justice, for once we understand what happens in the civil sphere, we begin to appreciate how one cannot take place without the other.

III.

Not content with laying out the elements of a theory, Alexander uses the concept of civil society to analyze what happens when excluded groups demand inclusion into society's mainstream. There already exists a huge body of literature on "new social movements," but the analysis of their dynamics, inspired by various versions of Marxist theory, looks at the resources that they mobilize and the gains in material benefits that they achieve. We need instead to appreciate them, Alexander argues, as vehicles of civic repair. Through their experiences, we can understand how groups once perceived as uncivil contribute to the broadening of the civility of the society to which they belong.

Conflicts in society, Alexander points out, do not take place only over matters of money and power. New social movements raise questions about the distribution of recognition, "about who will be what, and for how long." A good example is provided by feminism. If we look at concrete accomplishments, there may be grounds for concluding that the women's movement failed: the Equal Rights Amendment never passed, and women have not achieved equal wages. In symbolic terms, however, the women's movement dramatically transformed a rigid duality in which women were assigned to the private realm of the family while men were allowed access to the public realm of politics. That uncivil division no longer exists, and feminism can take credit for its disappearance. Once an uncivil way of dividing women from men is abolished, it is possible to find a civil one in its place, such as the idea, associated with Carol Gilligan, that women's way of caring for others is less rule-bound than men's. Civil society is not repaired by getting rid of binary codes, for that would be impossible. It is improved when binary codes that oppress are replaced by ones that liberate.

Alexander devotes four chapters of his book to the ways in which struggles on behalf of racial justice contributed to civic repair. It is important to him, as it should be, that the leaders of the movement for civil rights, especially in the early days of their campaign, acted civilly. This was by no means an easy thing to do. The institutions and the practices of southern racism were offensive, degrading, and often violent. Against such uncivil practices, activists such as Martin Luther King Jr. could easily have chosen to react in kind. But they did not. "From Montgomery on, the movement's success, both locally and nationally, depended upon its ability to establish a solidaristic relation with the broader, less racially distorted, civil sphere, which drew its power from geographic regions outside the South." The goal of the civil rights movement was not just to develop power in order to challenge the power of southern officialdom. It was also to change the very meaning of politics by adding a discursive dimension to arguments about racial justice.

King, in this context, was a brilliant performer who understood his role to perfection. A master of symbolic representation, he translated a political struggle into a process of sanctification. Evil would be compared to good on terms in which good would become the ultimate winner. Once the majority of Americans understood that the issue they were facing was whether the United States could live up to its civic ideals, they would inevitably identify with the humble nonviolence of the demonstrators rather than with the hate-filled, club-wielding representatives of unjust authority.

Not everything went as smoothly as King had hoped. Alexander analyzes

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not only the victories of the civil rights movement, but also its defeats. Albany, Georgia was only one place in which the dramaturgy did not work as expected when southern police chiefs refused to be baited into violent action against demonstrators. When violence did take place—the killing of the young girls in the Birmingham church, the horrors of the march for voting rights in Selma—its sheer brutality sapped much of the movement's idealism. Congress responded by passing the Civil Rights Act of 1964 and the Voting Rights Act of 1965, but the civil rights movement "lost its centrality to the normative core of American civil society." Black power became a rallying cause. King proved unable to bring to Illinois the same moral clarity that he evinced in Mississippi, and the problems facing the inner-city poor proved too difficult to be solved by his means. Once those developments were locked in place, the language and practice of civic repair gave way to rhetorical protest and conservative backlash, neither of which was especially civil.

Movements for inclusion demand that society change to accommodate their demands. But society also requires that such movements change if they are to become full members. So how much give should there be on either side? Alexander has no use for what he calls backlash movements, which seek to preserve existing society against any and all newcomers. But he also worries about assimilation: demanding that new groups give up what is distinctive about them as the price for membership is as uncivil as rejecting their demands entirely.

In search of an example to demonstrate the ambiguities of assimilation, Alexander turns to an unlikely place. The leftist sympathies with the oppressed that have inspired many students of social movements have rarely prodded them to pay much attention to the case of the Jews. People seem to think that Jews are too well established in too many societies to count as victims any longer. Alexander will have none of this. In his view, the story of Jewish assimilation is a mixed blessing. In terms of the societies to which they aspired, they arrived as citizens, but they did not necessarily arrive as Jews.

To tell the story of how this took place, Alexander adds Europe to his American focus, and to the eighteenth and nineteenth centuries he adds the twentieth and twenty-first. The problem, as he sees it (and he is relying here on a rich historical literature), begins with the Enlightenment. Gentiles such as Christian Wilhelm von Dohm were willing to accept Jews if Jews abandoned their Jewishness, and Jews such as Moses Mendelssohn, while rejecting Dohm's anti-Semitic views, prepared the ground for Jewish assimilation into modern civil society by emphasizing the ethical and universal side of Judaism more than its status as a revealed religion. From there it was an inevitable and rather swift step to Reform Judaism and its rude modernizing of the liturgy and the halachic tradition—and eventually to even purely secular movements led by intellectuals of Jewish background.

By the time Jews started fleeing to the United States, the bargain was sealed. In this country Jews would eventually have access to all major social institutions, but not on terms established by themselves. Symbolic of the situation they faced, Alexander notes, was the fact that the Barbie doll, the quintessential expression of WASP womanhood, was developed by Ruth Handler, a Los Angeles Jew. Even in what seems like a great success story, incorporation has not take place, Alexander believes, "in a truly effective and egalitarian manner." Jews, he oddly concludes, remain at least marginally outsiders in America, no matter how inside they seem. The whole idea of Jewishness is being threatened, he says, not by anti-Semitism but by Jewish success.

IV.

The Civil Sphere is a long, deeply researched, and—despite occasional lapses into jargon—well-written book. It covers a very broad range of topics and brings fresh perception to many of them. There is an intellectually curious, eclectic, and engaging mind on display throughout these many pages. Yet on the crucial question of whether Jeffrey Alexander provides the materials that would enable sociology to lay claim to its own intellectual turf, the answer must be no. Nearly everything he writes about can be just as easily analyzed without the concept of civil society; and even when the concept proves useful, it does so in ways different from how Alexander thinks it should.

Of the many issues discussed by Alexander, the one that least fits with his ideas about civil society is the issue of the Jews. This is not to suggest that the subject of Jewish assimilation is unimportant. I simply do not see what is gained by adding the idea of civil society to a debate that has gone on, as Alexander rightly points out, since the eighteenth century. Non-Jews determined to oppose the incorporation of Jews into public life said very uncivil things about them. Christians who welcomed them often had ambivalent motives for doing so. Jews who accepted the terms offered to them had (as signers to any imperfect contract would have) reservations. These are topics that have engaged philosophers and historians for centuries, and all have written about them without having developed a theory of civil society.

Is there any particular reason for making the incorporation of Jews central to the story of civil society? Alexander thinks so. "In the history of Western societies," he writes, "no issue has loomed larger for the civil sphere than the incorporation of the Jews." I find the lack of qualification in this sentence troubling. I would like to believe that my people may be the West's most important people, but I am afraid (and a little glad) that this is not the case. Surely, given their greater numbers, we ought to recognize that the incorporation of Catholics into once-Protestant countries such as the United States is a historical phenomenon of great importance. I cannot imagine a more pressing issue right now than the question of whether Muslims will be successfully incorporated into the primarily Christian countries of western Europe and the United States. The fact is that the story of Jewish incorporation is one significant story among many, and calling it the most significant one either requires an argument to that effect or betrays a blindness to the experience of others.

Alexander not only wants to add the idea of civil society to a discussion where it sheds little light, he also claims that civil society can explain what nothing else can. "Considering the Holocaust in the framework of the theory of fragmented civil society," he remarks, "demonstrates how misleading it is to insist on the uniqueness of German resistance to Jewish incorporation, much less of German anti-Semitism.... It was the collapse of the civil sphere in Germany, not German anti-Semitism, that allowed the Holocaust to proceed." This is theory-building gone wild. There are times when a theorist should stop, when he should admit that, much as he loves his theory, some events in the real world are so tragic, so beyond the capacity of the meager tools we develop to understand them, that a bit of theoretical modesty is the only appropriate response. I am willing to blame the rise in parking tickets or in public rudeness on the collapse of civil society; but the mass extermination of a people suggests darker and more primal forces at work.

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Yet Alexander does not stop there. How can we be sure that the Holocaust was caused not by capitalism or by modernity, but by the collapse of civil society? The proof, according to Alexander, lies in what he calls "the uneven but increasingly substantial Jewish incorporation into the modern, capitalist, and often deeply anti-Semitic United States in the latter half of the twentieth century." Now, I lived the greater part of my life in the United States in the latter half of the twentieth century, and I can recognize neither the time nor the place to which Alexander refers. To be sure, Alexander does offer a few caveats: we did not have ghettos here, and our demography and geography gave Jews some protections. "Still," he continues, "the Jews' formal status in American civil society was counteracted, more forcefully even than in many European civil societies, by the deep and pervasive Christianity of the American core group." I do not doubt that there are anti-Semites in this country, and maybe even a few of them, especially those who love the Jews on behalf of their own Christian eschatology, have undue political influence. But we turn to a theory of society not only to understand how it works, but to distinguish one society from another. Alexander's decision to open a chapter on Jewish incorporation in the United States, where Jews have flourished, by tying the subject to the fate of the Jews in Europe, where they were murdered en masse, makes no sense to me, empirically or normatively.

Finally, Alexander's discussion of the Jews does not prove what he wants it to prove, which is that the story of incorporation is a tragic one. Assimilation is by its very nature "uncivil," if we mean that it forces changes upon people. But if the result is that society becomes more "civil" because people of different faiths have learned ways to live together, then every loss of civility in one place becomes a gain for civility somewhere else. Alexander begins his discussion of this issue by pointing out, correctly, that to understand what happens when outside forces confront a society, we must consider "the variable internal structure of the social system responding to such outside forces." But it is precisely the internal structure of the United States that drops out of Alexander's discussion of Jewish incorporation into America; we are told a great deal about Saul Bellow and Philip Roth, but almost nothing about the customers, many of them presumably non-Jewish, who turned them into best-selling authors. Had Alexander focused as much on the United States that was doing the incorporating as he does upon the Jews that were being incorporated, he might have noticed that a society that is more open to non-Christians than it used to be is a society that has met some of its aspirations, and in that way undergone significant civic repair.

TOMASZ WALENTA

Alexander's treatment of the civil rights movement is more defensible than his discussion of anti-Semitism, but once again he does not demonstrate that adding a theory of civil society offers startlingly new insights. Martin Luther King Jr. was indeed an inspiring figure, but his story can be told using already existing terms associated with religion and politics. He was a man of God steeped in both the prophetic tradition of the Hebrew Bible and the turn-the-other-cheek pacifism of the New Testament. He knew when to call out demonstrators, how to speak to followers, how to treat enemies, and how to deal with politicians. Of course he relied upon symbols, but that is because symbols were his most effective political resource. King was a realist as well as an idealist. Especially in the great years of his movement, he knew the weakness and the strength of the cards he was dealt, and was able to minimize the one and to maximize the other. To be sure, the movement he led was an unusual one. But if the means used were inspirational, the ends sought were, in a political sense, conventional: power, including the power to vote, for those who had been denied it.

Even if the means used to bring issues of racial justice to the fore were distinct during the early years of the civil rights movement, they lost that distinctiveness when the issues became national in scope. John F. Kennedy realized that black votes could help him defeat Richard Nixon in 1960s, which they did, but once in office he also knew that he had to strengthen his ties with racist southern whites in his own party. His ambivalence on the issue of racial justice reflected conflicting political pressures, not the need to translate back and forth from a civil sphere to a political sphere. Alexander argues otherwise. "Kennedy had to gain recognition as a worthy representative of the civil sphere," he writes. "Only by gaining this recognition could he be trusted with control of the state's coercive power, and only if voters believed that he could be trusted in this way could he win the right to represent the civil sphere inside the state." Yet Kennedy was already president and already had control of the state's coercive power. The passage of laws outlawing discrimination and protecting the right to vote had little to do with representing the civil sphere inside the state, and much to do with the aftermath of Kennedy's assassination and the brilliance of Lyndon Johnson's quite conventional arm-twisting.

Alexander's aim, a worthy one, is to remind us that some forms of politics are different from others; that achieving civil rights for a long-oppressed minority improves the moral life of a society more than, say, passing a bill pleasing to the sugar lobby. But even if we need a new theory to explain high politics rather than low politics—and it is by no means clear that we do—Alexander does not offer it. Instead he shows an unfortunate tendency to put the adjective "civil" before as many nouns as he can. At one point in his book, in the span of just ten pages, "civil" modifies power, figures, virtue, audience, drama, traumas, community, indignation, encounters, life, rights, sphere, opinion, and effect. In nearly all those cases, the word "public" would convey just as much significance, if not more, than the word "civil." We know what public opinion is, but I doubt we can agree on what civil opinion is. Calling something civil does not make it so.

There are also problems with the cases that Alexander selects to illustrate particularly civil forms of politics. To be sure, the civil rights movement was especially ennobling. Is the movement to overturn *Roe* v. *Wade* equally so? Not for me, and certainly not for Alexander, but it is most definitely ennobling for those who make it central to their lives. Try convincing them that they are not engaged in civic repair! They have strong moral and ethical convictions that are guided by their faith. They understand and can wield the power of symbols. They have a strong sense of good and evil, and they know who is on which side. They say that they believe in democracy, and they argue that the majority's will is being thwarted by an arrogant and unrepresentative elite. They move from particular cases—an abortion clinic here, a pharmacy dispensing birth control there—to a universalistic theory of what life is and how it should be sanctified. They develop movement in-

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tellectuals who take to the pages of influential magazines to spell out the ideals that move them. They are not especially civil toward feminists who oppose them, but then again, neither are those feminists civil to them.

How, then, do they fit Alexander's categories? Should he view them as friends or enemies of the civil sphere? The truth is that, aside from a few comments about backlash, he never discusses them. In part, Alexander is reflecting the biases of the field he represents: sociologists who write about the new social movements are typically leftists who either once participated in them or more generally admire them. But the absence of the new-right movements from Alexander's book also suggests a problem with the way he defines civil society. In his discussion of binary codes, he argues that civil movements are committed to such virtues as equality and autonomy, while uncivil ones are not. Yet this defines civility as an end rather than as a process of moving toward that end. According to this way of thinking, even a movement that respected its opponents, engaged in no financial corruption, and built community among its followers would be engaged in uncivil behavior so long as its political objective was to further inequality or the acceptance of authority.

But who is to decide what is inegalitarian or oppressive? Pro-life activists claim that the rights of the fetus are equal to the rights of the mother and that someone needs to protect the future autonomy of a living creature lacking decision-making capacity now. These claims may be right or they may be wrong. But such claims cannot be judged by consigning those who disagree with the goals of feminists or egalitarians to the dreaded precincts of backlash movements. Identifying civility with left-leaning causes, which implicitly means asserting that right-wing ones are uncivil, is not a very civil thing to do.

V.

"Nothing is more practical than a good theory," Alexander writes in his conclusion. The search for justice, in his view, is not some version of woolly-headed idealism, but is built into the democratic societies in which we modern individuals live. It therefore follows that any theory of human behavior that fails to hold it up to its own constitutive ideas is anything but realistic. This is Alexander at his boldest. I admire his ambition, and I sympathize with his purpose. At a time when the social sciences try to narrow their vision as much as possible in order to appear scientific, Alexander should be congratulated for trying to broaden it as much as possible, so as to make the disciplines more humanistic.

It may be asking too much of the author of a work of this sort to tighten his argument and exercise better discretion over the cases that he selects for inclusion. After all, Alexander is trying to sweep away a lot of accumulated dust, and for that he needs something of a free hand with the broom. Still, I wish he had exercised a bit more control. Civil society is a powerful idea, and it ought not to be collapsed into purely self-interested action on the one hand or coercive power on the other. But the term is not a cure for everything that ails us. To bring out the best in civil society requires a modesty in assertion and a respect for evidence that economics and political science too frequently lack. Alexander's case is a strong one, but not strong enough. It would have been stronger if he had acknowledged also the limits of talking about solidarity and inclusion.

Jeffrey Alexander is not a new Talcott Parsons; his theoretical ambition, fortunately, is not that great. Nor is he a new Nathan Glazer or a new Daniel Bell; he lacks their capacity for clear writing and their gift for the critical application of large ideas to real situations. Nor is he a new Seymour Martin Lipset; his book lacks both data and sensible interpretations of what the data signifies. Still, he is a gifted sociologist for a time in which European social theory is once again being taken seriously in the United States. His book will not by itself resurrect his discipline, but it does demonstrate by example that sociologists are by no means irrelevant to the dilemmas of contemporary society. Human beings really do live in a world that too frequently asks the worst of us while too infrequently demanding the best. For all its flaws, *The Civil Society* offers grand theorizing in ways that remind us of both what we are and what we can be. Jeffrey Alexander offers sociology at least a place from which it may begin again. ◈

Richard Jenkyns
THE TEDDY BEAR

BETJEMAN: A LIFE
By A. N. Wilson
(Farrar, Straus and Giroux, 375 pp., $27)

Like Marmite and *The Morecambe and Wise Show*, John Betjeman is one of those Great British Institutions that has not traveled. He has never had much of an international reputation, but in his native land his fame is still so large that the centenary of his birth last year was a considerable event. The BBC devoted a series of programs to him on both radio and television. In my local bookshop in Oxford, where lesser emporiums have a *Da Vinci Code* section, there was a table piled high with more than a dozen books by or about him. And A. N. Wilson's lively but patchy biography, which shows signs of haste, was evidently hurried out to benefit from the anniversary.

One possible sign of Wilson's haste has received wide publicity. In the British edition of his book, Wilson printed an unpublished letter from Betjeman revealing a previously unknown adulterous affair. The letter had been sent to Wilson by one Eve de Harben, apparently a lady living in the South of France, into whose hands it had somehow come. The first letters of each sentence spell out the message "A. N. Wilson is a shit." Eve de Harben is an anagram of "ever been had." The hoaxer was quickly unmasked as Bevis Hillier, the author of a massive biography of Betjeman in three large volumes (another indication of how seriously Betjeman is regarded by some), who had been feuding with Wilson for a few years. The feud does credit to neither man, and the hoax is too embittered to be amusing; but though Wilson had to put up with some mockery of his gullibility, the record shows how easy it is to fool scholars in this way. (Hugh Trevor-Roper's authentication of the Hitler diaries is only the most extreme of many cases.) I am not inclined to make much of this episode.

Despite his popularity, Betjeman's reputation, more than twenty years after his death, seems oddly uncertain even in England. In middle life he was established as the most popular English poet since Tennyson, and the appearance in 1960 of his verse memoir of his early life, *Summoned by Bells*, was a major publishing event; indeed, it is hard to think of any poetry book at any time whose appearance has been so

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eagerly anticipated. Yet there is also perhaps no poet of the twentieth century who is still so diversely judged. The jury is still out, and raised voices can be heard from inside the jury room. Wilson thinks that a number of Betjeman's poems can properly be called great. That is high praise indeed, with which perhaps few people will concur. Others think that Betjeman was a minor poet with a unique voice, who at his best produced some work that will last; or that he was a pleasing light entertainer of no great substance; or that he was simply vacuous, and revealingly liked best by readers who otherwise do not seem to care much for poetry at all.

The uncertainty about the quality of his verse shades into a wider uncertainty: if he was important, what was he important for? Was it as a poet; or a writer of topographical prose about churches, suburbs, and country landscapes; or an early champion of Victorian architecture, a campaigner for the preservation of the built inheritance; or a representative of Anglican faith and doubt; or a brilliant broadcaster; or simply an endearing personality, a lovable old treasure and the nation's teddy bear? It may be, in fact, that his lasting significance will prove to lie less in any single achievement than in the combination of his activities. William Blake (I am stretching here, I know) can be assessed separately as a poet and as an artist, and Michelangelo as a sculptor and as a poet, but Betjeman resists compartmentalization. He is one of those people, as even his detractors must allow, who have found an original vision of the world and a unique tone of voice—quite literally, for the charm of his voice was one of the keys to his popularity on radio and television.

Betjeman was born in London in 1906, an only child whose father owned a long-established family firm of cabinet-makers. The surname came from a Dutch ancestor who had migrated to England in the eighteenth century. The poet's grandfather changed the spelling to Betjemann, to cash in on the mid-Victorian craze for all things German; the extra "n" was hastily removed at the beginning of World War I, but this did not prevent two bullies at Betjeman's first school from taunting him as a German spy. It is a familiar truth that nationalist leaders are often half-outsiders (Hitler Austrian, Stalin Georgian, Napoleon more or less Italian, Garibaldi more or less French, and so on), and it is tempting to wonder if Betjeman's passionate sense of England was fed by the memory of having been thought foreign.

He started writing verses very early, and while at another London school he bound his pieces into a book, labeled them *The Best of Betjeman*, and presented them to an American teacher who was said to like poetry. In later years he found himself wondering what the author of "The Love Song of J. Alfred Prufrock" had made of these childish effusions. At the start of his teens he was sent away to board at Marlborough, a famous public school, where he was not very happy, before proceeding to Oxford, where he was an immediate success. It is part of the Betjeman legend that he was dismissed from Oxford for repeatedly failing "Divvers," a very easy examination in the knowledge of scripture that all undergraduates were required to pass. The truth is more complicated, but the fact remains that he left Oxford early and without a degree. The sense of a paradise lost haunted him for much of his life.

A part of the problem was that he and his tutor, C. S. Lewis, developed a strong dislike for each other. Lewis thought his pupil frivolous, idle, and affected, telling him that in the course of two years he had never heard him speak about any serious subject except with a sneer. A similar criticism, more moderately expressed, was to be made by his later detractors. To some his religiosity and his religious doubts have seemed equally superficial, the hard issues evaded in comic verses about Anglo-Catholic spikiness and Low Church bad taste. In *Summoned by Bells* he faced the issue directly. For himself, he wrote,

> The steps to truth were made by
> sculptured stone,
> Stained glass and vestments,
> holy-water stoups,
> Incense and crossings of myself—
> the things
> That hearty middle-stumpers most
> despise
> As "all the inessentials of the Faith."

There is a kind of camp sacramentalism in this, if such a thing is possible. As Hopkins found God in the pied beauty of the visible world, so Betjeman claimed to find him in Victorian pitch-pine pews and encaustic tiling.

While Lewis disliked him, many of Betjeman's contemporaries were enchanted. A few of the unconverted even complained of a "Betjeman cult." When his fiancée Penelope Chetwode threatened to break off her engagement to him—on the reasonable grounds that while she was away in India he had absent-mindedly gotten engaged to someone else—one of his friends wrote to her, "I cannot say how much I deprecate your cowardice. John is a very great person. He is eccentric and needs looking after: but he has a genius of a very unusual kind." This was written while Betjeman was still in his twenties, and had not obviously achieved anything much at all.

What was it that his admirers saw in him? Mostly, it seems to have been the originality of his character. One side of it was a childlike vulnerability. He brought his teddy bear, Archibald, to Oxford with him. This was presumably the model for Aloysius, the bear carried by Sebastian Flyte in Evelyn Waugh's *Brideshead Revisited*. In that book, all Waugh's talent cannot make this seem anything other than a tiresome piece of exhibitionism, but we are asked to believe that everyone found it charming. And so it was in life, apparently: Betjeman was not, after all, thought to be a poseur. He had a streak of wild anarchic fantasy, suppressed in his published work but preserved in his letters to his most intimate friends. There was a blend of exuberance with depressive melancholy. There was the troubled religiousness, regarded by his friends, mostly agnostics or atheists, as another of John's endearing eccentricities. There was the genuinely deep knowledge—self-taught—of architecture, and especially of Victorian architecture, which was then regarded with almost universal contempt.

And there were the verses, of course. They seem to have been written in isolation from anything else in twentieth-century poetry. It was not so much that he used rhyme—Eliot and Auden also did that—as that he mimicked the forms and the cadences of the music hall and Victorian hymnody. Was this affection or mockery? Part of the teasing attraction was that it was hard to tell. Some of the poems were lightly satirical; others developed a version of English pastoral to which he added such elements as red-brick suburban churches and the shabby-genteel dinginess of decaying seaside towns.

After leaving Oxford, Betjeman got a job on the *Architectural Review*. He wrote books and articles on architecture and related topics, championed the Victorians, and published several small books of verse. He married Chetwode, who was as eccentric as himself, and the marriage seems to have been reasonably successful for a number of years, until she began to feel neglected and get restless. But the real crisis was created by her decision to become a Roman Catholic. Betjeman was not always sure that Christ was the Son of God, but he was absolutely sure that the Church of England was the true church, and his wife's defection was a blow from which the marriage never recovered. He acquired a mistress—a seriously devout

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Anglican, naturally. She was Lady Elizabeth Cavendish, sister of the Duke of Devonshire, lady-in-waiting to Princess Margaret, and a member of one of the grandest families in Europe. He combined wife and mistress for some years, but eventually lived entirely with Elizabeth. He and Penelope never divorced; after all, they both considered themselves sacramentally and indivisibly married. The consequence was that Lady Elizabeth remained unmarried and childless.

Wilson likes to explore religious anguish, infidelity, and sexual guilt, and it is this aspect of Betjeman's life to which he pays the most attention, handling it skillfully if repetitively. By contrast, he neglects Betjeman's prose writings almost entirely. The *Collins Guide to English Parish Churches*, which Betjeman edited, gets only two passing mentions, and yet it is perhaps as remarkable as anything he did. He brought together a team of writers to list and to describe the best parish churches, county by county. Each list is preceded by a short essay on the character of the county; Betjeman wrote many of these himself, with a delicate sense of landscape and local idiosyncrasy.

But the most striking part of the volume is its introduction, some seventy-five pages long, in which he traces the story of the parish church from the Middle Ages to the present day. It blends architectural scholarship, religious history, social history, and a sense of atmosphere in a way that no one else could have managed. This is Betjeman at his best: it brings together so many of his diverse interests and so many aspects of his complicated personality: the passion for architecture, the poetic sensitivity to mood and spirit of place, the love of Anglicanism, the melancholy, the humor, the delicate perception of beauty, and the wry perception of ugliness. It is surely one of the finest essays of the twentieth century.

And what of the verse? Wilson has a good page on "Death of King George V," much anthologized and often thought to be his best poem. Taking as its epigraph a few words from a daily newspaper, "New King arrives in his capital by air," it is only twelve lines long:

> Spirits of well-shot woodcock,
> partridge, snipe
> Flutter and bear him up the
> Norfolk sky:
> In that red house in a red mahogany
> book-case
> The stamp collection waits with
> mounts long dry.
>
> The big blue eyes are shut which saw
> wrong clothing
> And favourite fields and coverts
> from a horse;
> Old men in country houses hear
> clocks ticking
> Over thick carpets with a
> deadened force;
>
> Old men who never cheated,
> never doubted,
> Communicated monthly,
> sit and stare
> At the new suburb stretched beyond
> the run-way
> Where a young man lands hatless
> from the air.

In only twelve apparently simple and easy lines, it brings out the distinction between the decency and the stuffiness of the late king and his successor arriving "hatless from the air" in London, and it weaves into this a contrast between the Norfolk countryside where King George had loved to shoot birds and the suburbs stretched beyond the runway of the airport where Edward VIII has landed. The poem has a density that Betjeman did not often achieve. Too often he has an idea but cannot take it anywhere. "Come, friendly bombs, and fall on Slough," one of his best-known poems begins—Slough being an area of urban sprawl west of London—but having thought of an opening, he has no notion how to continue; a few stanzas of rather silly and ill-focused abuse follow, then he more or less repeats the first stanza and the poem ends. It was a bright notion to parody the hymn "The Church's one foundation" in a piece about Victorian uglification:

> The Church's Restoration
> In eighteen-eighty-three
> Has left for contemplation
> Not what there used to be.

But the verses then merely chug onward for another thirty lines. Philip Larkin (who thought well of Betjeman, as it happens) did not often turn to ecclesiastical themes, but his "Church Going," moving as it does from half-humorous gaucherie (the poet taking off his cycle-clips "in awkward reverence") to an almost incantatory grandeur, brings out precisely what Betjeman lacks:

> A serious house on serious earth it is,
> In whose blent air all our compulsions
> meet,
> Are recognised, and robed as destinies.

This interprets, where Betjeman only describes.

Betjeman is perhaps at his best when he mingles comedy with a touch of the pathetic and sinister, as in "The Arrest of Oscar Wilde at the Cadogan Hotel," or when he directly confronts his fear of death, as in "The Cottage Hospital." He can mingle humor and horror:

> "Mr Woilde, we 'ave come for tew
> take yew
> Where felons and criminals dwell:
> We must ask yew tew leave with us
> quoietly
> For this *is* the Cadogan Hotel."
>
> He rose, and he put down
> *The Yellow Book*,
> He staggered—and, terrible-eyed,
> He brushed past the palms on the
> staircase
> And was helped to a hansom outside.

Even as Oscar goes to his doom, Betjeman cannot help noticing the potted palms. And the fact remains that after his critics have done their worst, there is something in his poetry that abides, even if it is not easy to define quite what it is. He was entirely his own man, and through a complete indifference to fashion he became fashionable. He has a style of seeing and feeling that is unique to himself. And there are many good writers of whom one cannot say as much.

His only long poem is *Summoned by Bells*, a twentieth-century equivalent to Wordsworth's *Prelude*. At the time of publication, after all the excitement with which it had been awaited, there was a widespread sense of disappointment, but nearly fifty years on it stands up pretty well. It is an example of a genre familiar enough in prose, the account of *Bildung*, of the fears, doubts, and pleasures of childhood and the growth of an author's mind in adolescence and early manhood, but it is a good example. It is written in blank verse, and the verse is an essential part of its character. It may well endure.

After this the poetic gift deserted him, as it has other lyric poets in middle life, and his later verses read like weak pastiches of the earlier Betjeman written by another person altogether. But a new career opened for him as a television performer, where his charm and his power of evoking place found happy expression. The last years of Sir John Betjeman, poet laureate, were laden with honors but sad, as he was increasingly disabled by Parkinson's disease. He died peacefully on a fine spring morning in 1984 in his house in Cornwall, the place that he had loved best of all since childhood. Lady Elizabeth tended him, and Archibald lay in bed beside him. ◆

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SHANGHAI DIARIST

Restless Soul

Ted Williams, Anna Nicole Smith, James Brown … . We're all aware death may not mean eternal rest. Still, when my 87-year-old Chinese immigrant father heard that his sister-in-law in Taiwan had dug up his mother, he was, well, upset.

To put this in context, the bones of overseas Chinese have been repatriated for centuries. Also, the dead are disturbed with particular frequency in Taiwan, where two uncles of mine had been dug up before—one by this same aunt, his sister-in-law, against his son's wishes. It was not a complete shock, therefore, that third aunt, as we call her, claimed to have promised to move my grandmother to the mainland, or that she acted some 40 years later to do so. Still, my father thought he might have been consulted before his mother was disinterred and cremated. And now what? Seeing as how our family graveyard (in our hometown of Yixing, a bit west of Shanghai) had been turned into the town park, third aunt wanted to rebury my father's mother, as well as her own deceased husband and son, in a brand-new marble showcase; what with our distant ancestors represented by only a handful of dirt, my grandmother's remains were crucial to rendering the new family tomb official. My father, though, wanted his mother reburied at yet another Jen burial site, his father's grave. This modest spot, also in our hometown, had not only remained magically undisturbed over the years but was now part of a tree farm; my father believed its exceptional feng shui the source of his own good luck in life. Did not his mother belong there, with her husband?

Yours truly was duly dispatched to Shanghai. "Don't ask permission, don't say too much," my father told me. "You bring shovel. That's it." Oy, I thought on the flight over. No doubt such craziness was better than a legal fight. Still, I saw chaos in my future. And sure enough, no sooner had I rolled my bag into my cousin James's apartment than another cousin called to question whether my grandfather really was buried in that special spot. How could we know unless we dug up his bones? Sensing where this was headed, I immediately called my father in New York and asked him, with James on the line, whether he wanted his father dug up—he did not. And did he want his mother buried at his father's gravesite no matter what? He did. So, OK.

I did not know the value of that phone call until the next morning, when some 14 of us convened at yet another cousin's electronics factory for a 6 a.m. powwow. Third aunt—a tiny, imperious figure who, in a black Chinese dress and white sneakers, looked, even at 90, half-ready to head for a tennis court—summoned the core cousins into a back office. "We are here because of your grandfather, who has been buried a hundred years," she began. I bravely raised my hand. "Excuse me," I said in my shaky Mandarin, "but my father is only eighty-seven." My aunt took this in. "Some eighty years," she continued. "Long enough that he has probably been reincarnated. How do we know he is even in that grave? We don't know!" She went on in this vein a while. "True," I said finally—caught off guard by the reincarnation argument but interrupting all the same as only a bumpkin American relative could. "Still, my father would like his mother buried in that spot whether his father is there or not." I turned to James, my witness. "Fourth uncle was very clear on the phone," he said obligingly.

And, to my surprise, that was it, match point, thanks to a traditional system to which all my relatives—many of them U.S.-educated—still subscribed. According to this system, everyone is ranked by birth order, with all men within a generation ranked above all women. For example, my father, the fourth son of his generation, ranked above my aunt, even though she was married to the third son. (This would have been true even if she had been a sister rather than a sister-in-law.) What my father said, therefore, was law unless people managed to "not know" what he wanted, in which case loopholes would be creatively exploited. Once those were closed, however, even my formidable aunt could only collapse into a desk chair and start to cry.

My female cousins took turns comforting her as we rode to Yixing in our minibus. The men talked and slept, some with backpacks worn over their stomachs like Snuglis; in these could be glimpsed the shiny gold cloth in which the ash-filled urns were wrapped. Everyone marveled, on the way, at the new highway. We admired too the McMansion one of my cousins had bought—a brick affair with an attached garage that looked straight out of an Andersen window catalogue—and a new city for three million, just put up. Then we stopped for lunch, after which, as we were reboarding the minibus, one of my female relatives touched my arm. "Men first," she said—not a suggestion to which I would have reacted well in the United States. Here, though, I obediently hung back. The system was, after all, serving my father and my mission.

What's more, though third aunt was still crying, she was at least on the bus. This was not lost on me. During the reburial ceremonies, I considered what a rift would mean to our family at this point—scattered as we were worldwide—and found that it helped me stomach many galling things. That the women, for example, handled the altar table—the candles, incense, food, and drink—while the men handled everything "important." That we all *ke tou*'ed—kowtowed—to the ashes in order of rank. That we bribed the tree farm managers as a matter of course, agreeing to pay 1,000 yuan of "back rent" (about $125) as well as 300 yuan per year on "rent" from here on out. Even at the KFC where we stopped for dinner at the end of our long day, I found myself consuming a literally gall-producing chicken sandwich I never would have eaten in the States. And, yet, there we all were, laughing and joking under the approving gaze of Colonel Sanders—third aunt included. How many times had I shaken my head, at home, at people upholding traditions that oppressed them? Certainly I would be shaking my head again soon. But, for now, tradition had produced what law never could have. I could only smile and nod.

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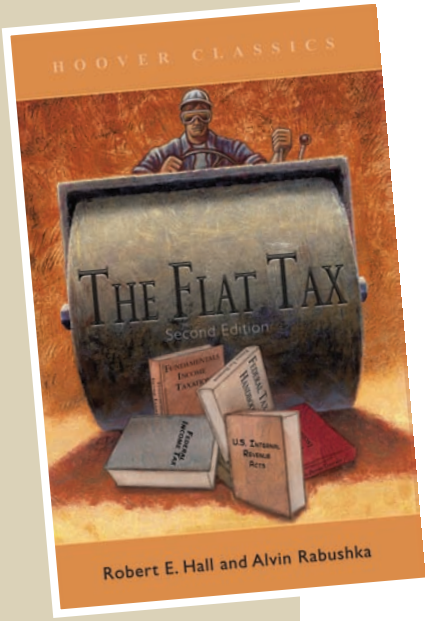

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